

Title 16
BUILDINGS AND CONSTRUCTION

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Chapter 16.04
ADMINISTRATION AND ENFORCEMENT

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Article I. General Requirements

16.04.010 Intent—Remedial.

Chapters 16.04 and 16.28 through 16.56 are declared to be remedial, and shall be construed to secure the beneficial interests and purposes thereof, which are public safety, health and general welfare, through structural strength, stability, sanitation, adequate light and ventilation and safety to life and property from fire and other hazards in-

cident to the construction, alteration, repair, removal, demolition, use and occupancy of buildings, structures or premises. (Prior code § 11-1-1)

16.04.020 Scope.

A. The provisions of Chapters 16.04 and 16.28 through 16.56 shall apply to the construction, alteration, repair, maintenance, moving, removal and demolition, and to the location, use and occupancy, of every building or structure or part thereof, and to any appurtenances or equipment connected or attached thereto, and to the installation of any heating, air-conditioning or ventilating system or unit, the construction and erection of any fence, sign, billboard, swimming pool or similar structure for which a permit is required, within the area of jurisdiction of the metropolitan government; except that the provisions of Chapters 16.04 and 16.28 through 16.56 shall not apply to the erection, construction, repair, alteration or maintenance of any farm accessory buildings or structures where such buildings or structures are located within a zoned agricultural or unclassified rural district and are constructed on farmsteads in excess of five acres or more.

B. No provision of Chapters 16.04 and 16.28 through 16.56 shall be held to deprive any federal or state agency, or any municipal authority having jurisdiction, of any power or authority, which it had on October 22, 1964, or of any remedy then existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its legal rights as provided by law. (Prior code § 11-1-2)

**16.04.030 Maintenance of buildings required—
Owner's responsibility.**

All buildings and structures, both existing and new, and all devices, equipment and safeguards required by Chapters 16.04 and 16.28 through 16.56 in a building when it is erected, altered or repaired, shall be maintained in good working order by the owner or his designated agent. (Prior code § 11-1-3)

16.04.040 Right of entry.

The director of codes administration shall enforce the provisions of Chapters 16.04 and 16.28 through 16.56, and he or his duly authorized representative may enter, with the consent of the owner or occupant or with a valid search warrant, and upon presentation of proper identification, any building, structure or premises within the area or jurisdiction of the metropolitan government to perform any duty or responsibility imposed upon him by such chapters. (Prior code § 11-1-4)

16.04.050 Additional requirements—Authority of director.

Any requirements necessary for the strength or stability of an existing or proposed building or structure or for the safety of the occupants thereof, not specifically covered by Chapters 16.04 and 16.28 through 16.56, shall be determined by the director of codes administration, subject to appeal to the board of building code appeals. (Prior code § 11-1-9)

16.04.060 Alternate materials and methods—Authorization by director.

A. The provisions of this code are not intended to prevent the use of any material, method of construction or means of providing life safety not specifically prescribed by this code, provided any such alternate has been approved and its use authorized by the director. The director may approve any such alternate, provided he finds that the proposed design is satisfactory and complies with the intent of this code, which is to provide an acceptable level of life safety for the general public.

B. The director may require sufficient evidence or proof be submitted to substantiate any claim that may be made regarding its use. If, in the opinion of the director, the evidence or proof is not sufficient to justify approval, the applicant may refer the entire matter to the board of building code appeals as stipulated elsewhere in this title. (Prior code § 11-1-10)

16.04.070 Issuance of permits and notices.

The director of codes administration shall issue or cause to be issued, all permits and notices required by Chapters 16.04 and 16.28 through 16.56 and shall keep or cause to be kept a record of all such permits and notices and all other business transactions of the department of codes administration. Such records of the department shall be open to public inspection during the regular business hours of the department. (Prior code § 11-1-12)

16.04.080 Collections—Records.

The director of codes administration shall keep a permanent and accurate accounting of all permit fees and other money collected, the names of all persons upon whose account the same was paid and the date and amount thereof. (Prior code § 11-1-13)

16.04.090 Registration and bond required when.

A. It shall be the duty of every person who shall make contracts for the construction, erection, alteration, repair, removal or demolition of any building or structure or part thereof; or repair or replacement of any damage to a build-

ing or structure caused by insects or natural disasters; or to erect or construct any sign, billboard or similar structure, or to construct any public or private swimming pool; or to do or perform any work for which a permit is required (and every such person, making such contracts or subletting the same or any part thereof) to register with the department of codes administration and to post a permit bond in the amount set forth herein.

B. 1. For building permits under twenty-five thousand dollars, the bond amount shall be ten thousand dollars.

2. For all building permits of twenty-five thousand dollars and larger, the bond amount shall be forty thousand dollars.

C. The bond required by this section shall be a permit bond conditioned to conform to the requirements of this chapter and all applicable laws, ordinances, rules, and regulations of the metropolitan government relating to work which is performed by the principal pursuant to a permit issued under this bond, or for work performed by the principal for which a permit should have been obtained prior to commencement of such activity; and to indemnify the metropolitan government and property owners against any and all loss suffered by them by reason of the failure of such contractor to comply with such laws, ordinances, rules and regulations. Such bond shall be continuous and may not be canceled without at least ten days' prior notice, in writing, to the director of codes administration. The liability of the surety shall continue to attach to work performed pursuant to any permit issued prior to the termination date of the bond even if the noncomplying act should occur after the termination date of the bond. The liability of the surety for any and all claims, suits or action under this bond shall not exceed the bond penalty. Regardless of the number of years this bond may remain in force, the liability of the surety shall not be cumulative and the aggregate liability of the surety for any and all claims, suits or actions under this bond shall not exceed the face amount. The bond shall be issued by a U.S. Treasury-listed corporate surety or a Tennessee domestic insurance company on forms provided by the department of codes administration.

D. It shall be the duty of every person, firm or corporation desiring to register with the department of codes administration under this section to secure the required contractor's privilege license for Davidson County.

E. Moving of Building or Structures. It shall be the duty of every person desiring to move any building or structure where such necessitates the transportation of such building or structure in public rights-of-way or on public streets, to register with the department of codes administration and to post good and sufficient bond in the amount

of forty thousand dollars as required by Section 16.04.090(C); except that persons moving temporary construction office sheds, mobile or modular homes, house trailers, and storage buildings ten feet or less in width are not required to post bond.

F. It shall be the duty of every person desiring to move any building or structure where such necessitates the transportation of such building or structure in public rights-of-way or on public streets to furnish to the department of codes administration a certificate of general liability insurance issued by a Tennessee-licensed company which provides a minimum of three hundred thousand dollars per occurrence with combined single limit bodily injury and property damage coverage. The certificate of insurance may not be canceled without at least thirty days' prior notice, in writing, to the director of codes administration.

G. Bonds required by Sections 6.20.150, 6.52.140, 6.52.220, 13.20.030, 16.04.090 and 16.16.780 presently on file with the department of codes administration or the metropolitan clerk's office shall remain in effect until the 1995 anniversary date of the bond. Contractors with multiple trades may provide one forty-thousand dollar bond to meet the requirements of the above code sections. The new bond form will be required on the first 1995 renewal date. (Ord. 94-1226 § 5, 1994)

16.04.100 Certificate of occupancy—Issuance of electrical releases and temporary certificates.

A. To secure compliance with Chapters 16.04 and 16.28 through 16.56, the metropolitan government shall not provide nor permit another to provide utility services (such as water, sewer, electrical, or gas), either public or private, to any building or structure found to be in non-compliance of Chapters 16.04 and 16.28 through 16.56, until such building or structure has been brought into compliance, inspected and a final certificate of occupancy issued. This requirement shall not preclude the temporary use of utility services as may be necessary during construction, repair or rehabilitation of a structure. Provided, however, the director may authorize the issuance of an electrical release to the utility to connect electrical service in accordance with Section 16.36.030 for portions of a building safe for occupancy.

B. 1. It is further expressly provided that in the case of one-family and two-family dwellings and apartment/condominium complexes not exceeding three stories, a full electrical release shall, without exception, be issued after the frame inspection has been made and approved subject to completion of the following items:

a. Electrical service must be completed and properly grounded;

b. All exposed electrical wires are made safe (disconnected or installed in an approved junction box).

2. This request for full electrical release may be made on an oral or written basis by the electrical contractor, and the release shall be issued not more than two working days after the release unless an inspection of the intended premises reflects a noncompliance with paragraphs 1 and 2 of subsection B.

C. It is further expressly provided that in the case of one-family and two-family dwellings and apartment/condominium complexes not exceeding three stories, a temporary certificate of occupancy shall without exception be issued after the following conditions have been met:

1. The plumbing has been connected with the water system and sewer line or waste disposal system;

2. Safe conditions exist with regard to such items as smoke detectors are installed and operable; exits are complete; fire stopping is in place and ditches are covered.

D. Any such temporary certificate shall be valid for sixty days after the date of issue unless extended by the director. The director shall not unreasonably withhold any extensions unless for good cause. Should the building permittee obtaining a temporary certificate fail to secure a final certificate of occupancy within the time allowed, the director, in addition to other remedies available, and for good cause, may cause the utilities to be disconnected upon notice to the supplier to discontinue to furnish said service for this reason. The director shall not utilize his remedy to cause utilities to be disconnected unless ten days' written notice is given to the applicant. In case a contractor secures the temporary certificate, it shall be his responsibility to notify the purchaser or tenant of this condition of occupancy. (Prior code § 11-1-14)

16.04.110 Noncompliance—Stop work order.

A. Upon notice from the director of codes administration that work on any building or structure is being done contrary to the provisions of Chapters 16.04 and 16.28 through 16.56, or in a dangerous or unsafe manner, such work shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of the property or to his agent or to the person doing the work, and shall state the conditions under which work may be resumed. When an emergency exists, no written notice shall be required to be given by the director.

B. Such notice as required may be in the form of a placard posted by the inspector conspicuously on the building in which the work is in progress. Removal of such notice or placard without the express consent of the

director of codes administration or his designated agent, is a violation of this code. (Prior code § 11-1-7)

16.04.120 Revocation of permits when.

The director of codes administration may revoke a permit or approval, issued under the provisions of Chapters 16.04 and 16.28 through 16.56, in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which such permit or approval was based, or when it is determined that a permit has been issued in error. (Prior code § 11-1-8)

16.04.130 Construction standards.

A. During all phases of construction and specifically upon the final inspection, all construction performed under the jurisdiction of Chapters 16.04 and 16.28 through 16.56 shall be completed to conform to first class, conventional construction standards with respect to appearance and function. Materials incorporated into construction shall conform to the material standards specified in Chapters 16.04 and 16.28 through 16.56 and shall be fabricated and installed by craftsmen proficient in such construction.

B. General criteria which shall be required are as follows:

1. Floors shall be level, stable and tight and porch floors designed and constructed to drain away from walls;
2. Walls shall be plumb, square, tight and free from surface defects and undulations;
3. Trim shall be firmly attached, mitered at joints and free from surface defects and undulations;
4. Wall openings shall be tight, plumb, square and readily operable;
5. Ceiling shall be tightly attached, level and free from surface defects and undulations;
6. Roofs shall be tight and impervious to moisture;
7. Concrete floors and slabs shall have a steel trowel finish reasonably free of cracks and depressions. Slabs on earth shall be placed over a well-tamped subgrade and at least four inches of well-tamped, crushed stone, gravel or stone of three-quarter inch to one and one-half inch in size. (Prior code § 11-1-17.2)

16.04.140 Proof of compliance—Test reports.

The director of codes administration may require tests or test reports as proof of compliance with Chapters 16.04 and 16.28 through 16.56. Tests, if required, shall be made at the expense of the owner or agent, by an approved testing laboratory or agency. Copies of such test reports and the results of all such tests shall be kept on file in the office of the director of codes administration. (Prior code § 11-1-11)

16.04.150 Work on Sunday—Special permit required.

No contractor, builder, owner, workman, laborer or person shall do or perform any work or labor on any building or structure or part thereof between the hours of twelve midnight Saturday night and twelve midnight Sunday night, except by special permission of the director of codes administration. Special permits may be issued only in cases of emergency and shall be valid only for the date stamped thereon and shall be posted in a conspicuous place on the premises during the performance of such emergency work. The director shall notify the department of metropolitan police of all emergency permits issued. (Prior code § 11-1-16)

16.04.160 Interference with director prohibited.

It is unlawful for any person, whether owner or occupant, to refuse to permit the entry of the director of codes administration or any of his duly authorized representatives or to interfere in any manner in the performance of the duties imposed upon the director. (Prior code § 11-1-5)

16.04.170 Conflicts with other ordinances.

A. In any case where a provision of Chapters 16.04 or 16.28 through 16.56 is found to be in conflict with a provision of any zoning, housing, fire, safety or health ordinance or code of the metropolitan government the provision which establishes the higher standard for the promotion and protection of the health and safety of the public shall prevail.

B. Where a provision of Chapters 16.04 or 16.28 through 16.56 is found to be in conflict with a provision of any other ordinance or code of the metropolitan government which establishes a lower standard for the promotion and protection of the health and safety of the public, the provision of Chapters 16.04 or 16.28 through 16.56 shall be deemed to prevail, and such other ordinances or codes are declared to be repealed to the extent that they may be found in conflict with such chapters. (Prior code § 11-1-17)

16.04.172 Violations—Penalties—Revocation of permits.

A. Whenever in this title, or in any rule, regulation or order promulgated by any officer or agency of the metropolitan government under authority duly vested in the officer or agency by this title, or if any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or the doing of any act is required, or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, where no specific penalty is provided therefor in this title, the violation of any such provision of this

title or such rule, regulation or order, shall be punishable by fine in an amount not to exceed five hundred dollars. Each and every day such violation exists shall be deemed a separate offense. Penalties imposed on owners of property, where the principal use of the property is for an owner-occupied residential dwelling with an appraised value of not more than thirty thousand dollars, may not exceed one hundred fifty dollars.

B. In addition to any fine imposed for a violation of this title, permits granted under the provisions of this title may be revoked by the director. No new permits shall be issued to a person guilty of violating any of this title until the work done in violation of this title shall have been corrected to the satisfaction of the director. (Ord. 95-1329 § 12, 1995)

Article II. Fire Zone Map

16.04.180 Adopted by reference.

The fire district map of the metropolitan government of Nashville/Davidson County, a copy of which is on file with the metropolitan clerk, is adopted by reference, as fully as though copied in this chapter, as the official fire district map of the metropolitan government. Such map, together with the boundaries set forth therein designating the fire district, is expressly made a part of this code. The district shall apply to all construction therein. (Ord. 98-1445 § 75, 1998)

Article III. Specific Structures and Uses

16.04.190 Demolition—Removal of debris required.

Every person moving, repairing or demolishing a building or structure and removing debris therefrom shall cause all such debris to be thoroughly dampened with water or covered to prevent the spread of such debris or dust to adjacent properties or streets. In the case of demolition, it shall be the responsibility of the person demolishing a building or structure to remove from the premises all debris resulting from such demolition and to fill any below-grade area to grade level. The director may, at his discretion, allow suitable protective fencing around the below-grade area in lieu of the full requirement. (Prior code § 11-1-17.3)

16.04.200 Fences.

Fences shall be constructed in accordance with the requirements of this code. The location and height of fences shall be controlled by the metropolitan zoning regulations, except for the following additional requirements.

A. Electric fences are expressly prohibited, unless erected to contain horses, livestock or other animals on property wherein a zoning permit has been issued for said use.

B. The use of barbed wire below six feet on a fence along any property line is prohibited, unless erected to contain animals under the conditions set forth in subsection A.

C. No fence permitted under this code shall be erected with barbs or sharp projections on top of such fence, unless it is five feet or more from a property line or more than six feet above grade and projecting inward. (Prior code § 11-1-17.4)

16.04.210 Signs.

A. Signs erected, constructed, located, placed or otherwise displayed within the area of jurisdiction of the metropolitan government require a permit under the provisions of this code and the Zoning Ordinance.

B. Any sign which has become dilapidated, unsafe, structurally unsound, hazardous, severely weathered, etc., are declared to be in violation of this code. Any such sign shall be removed or repaired upon notice from the director. Included in the above shall be any sign advertising a business, use or commodity available on the premises which has relocated, discontinued operation or become unavailable on said premises.

C. Before issuing a permit for a sign as required herein, the applicant must:

1. Have received a state permit for a sign where a state permit is required;

2. Submit a schematic drawing by the applicant showing the proximity of the proposed sign to other signs, and a certified stamped engineer's drawing assuring the stability of a sign in conformance with standard building codes.

D. The codes department shall notify the property owner, advertiser, and advertising sign company of any illegal signs which are not in compliance with the Zoning Ordinance. The notification shall be sent by certified letter stating the property owner, advertiser, or advertising sign company has ten days within which to conform the sign to all applicable Metro regulations. The codes department shall not be required to send a certified letter to the advertiser unless the advertiser is the owner or lessee of the sign. (Prior code § 11-1-17.6)

16.04.220 Street numbers—Display required when.

All residences, buildings, structures and other facilities having mail and delivery services have their street numbers displayed conspicuously for view from the public

streets. It shall be sufficient to have the street numbers on the mailbox for said structures if the mailbox is adjacent to the right-of-way. (Prior code § 11-1-17.7)

16.04.230 Trailers and mobile homes.

Every trailer, mobile home, modular building or other structure located on property under the jurisdiction of this code and with a duly issued building permit and zoning permit, shall be securely and completely underpinned and skirted with an approved material which is impervious to the weather and rodents. (Prior code § 11-1-17.5)

Chapter 16.08

BUILDING CODES

Sections:

- 16.08.010 Adoption by reference.**
- 16.08.012 Amendments to the Standard Building Code.**
- 16.08.014 Amendments to the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings.**
- 16.08.016 Amendments to the Energy Code.**

16.08.010 Adoption by reference.

The following sections and appendices are adopted and incorporated into this chapter as the technical section of the building code of the metropolitan government, by reference, as fully as though copied into this code, except as have been or may be hereafter amended herein:

A. 2000 Edition of the Standard Building Code, Sections 201 through 1611.3, Sections 1613 through 3408.8.5, Chapter 35 inclusive and Appendices C, D, H;

B. 2000 Edition of International Residential Code for One and Two-Family Dwellings, Sections R101 through and including R102.7.1; Section R106.1.2; R107; R109 through and including R109.1.2; Sections R109.1.4 through and including R111.3; Sections R113.1 through and including R326.1; Sections R401 through and including Chapter 43; Appendices A, B, C, D, E, G Sections AG101 through and including AG105.2(8.2) and Sections AG105.2(10) through and including Section AG107.1.

C. 1998 Edition of the ICC/ANSI A117.1 Accessible and Usable Buildings and Facilities, Section 101 through and including Section 1004.77.

D. 2000 Edition of the International Energy Conservation Code, Sections 1.01.1 through Chapter 9 inclusive, and Appendix. This code edition shall apply to one- and two-family Dwellings, and commercial buildings. (Ord. BL2002-1142 §§ 12, 13, 2002; Ord. BL2001-703 § 1, 2001; Ord. 98-1445 §§ 22, 23, 1998; Ord. 96-562 §§ 1, 2, 1996; Ord. 95-1487 §§ 1, 2, 3, 1995; Ord. 93-843 § 1, 1994; Ord. 92-118 §§ 1, 2, 1992; Ord. 89-1003 § 1, 1989; prior code § 11-1-29)

16.08.012 Amendments to the Standard Building Code.

The following amendments, deletions, or additions to the 2000 Edition of the Standard Building Code are adopted by reference, as fully as though copied into such Building Code, and thereby made a part of the Building Code.

A. Section 201 of the 2000 Edition of the Standard Building Code is hereby amended by adding the following new Section 201.5 to Section 201:

201.5 Interchangeability with the Standard Codes. The International Building Code shall be construed to mean the Standard Building Code. The International Property Maintenance Code shall be construed to mean the Property Standards Code of the Metropolitan Government. The International Mechanical Code shall be construed to mean the Standard Mechanical Code. The International Fuel Gas Code shall be construed to mean the Standard Gas Code. The International Plumbing Code shall be construed to mean the Standard Plumbing Code. The International Private Sewage Disposal Code shall be construed to mean the Subsurface Sewage Disposal Systems Code of the Metropolitan Government. The ICC Electrical Code shall be construed to mean the National Electrical Code.

B. Section 202 of the 2000 Edition of the Standard Building Code is hereby amended by adding the following new definitions:

BED AND BREAKFAST HOMESTAY—means a private home, inn, or other unique residential facility located in a structure of historical significance as defined in Tennessee Code Annotated Section 68-14-503(3) offering bed and breakfast accommodations and one (1) daily meal and having less than four (4) guest rooms furnished for pay, with guests staying not more than fourteen (14) days, and where the innkeeper resides on the premises or property, or immediately adjacent to it. Guest rooms shall be established and maintained distinct and separate from the innkeeper's quarters.

BREEZEWAY—A covered connector between two buildings or structures, open at each end but less than 50 percent open, located at, above, or below grade level, that may be used as a means of egress from a building or structure.

BOARD—shall mean the Metropolitan Board of Fire and Building Code Appeals.

CODE OFFICIAL—shall mean the Director of the Metropolitan Department of Codes Administration, his deputy or duly authorized representative.

DIRECTOR—shall mean the Director of the Metropolitan Department of Codes Administration, his deputy or duly authorized representative.

FAMILY—is an individual, two or more persons related by blood, marriage or law, or a group of not more than any five unrelated persons living together in a dwelling unit.

FARM ACCESSORY BUILDING—shall be defined as barns, animal and poultry houses, silos, storage and feed sheds, animal shelters and similar farm structures provided that no such building or structure is designed for or intended to be used as a place of human habitation.

EXIT DISCHARGE, LEVEL OF— (1) The lowest story from which not less than 50 percent of the required number of exits and not less than 50 percent of the required egress capacity from such a story discharge directly outside at grade; (2) the story with the smallest elevation change needed to reach grade where no story has 50 percent or more of the required number of exits and 50 percent or more of the required egress capacity from such a story discharge directly outside at grade.

NORMAL MAINTENANCE REPAIRS—shall be defined as repairs to an existing building or structure, including but not limited to exterior and interior painting, papering, glazing of windows and doors, floor finishing, minor repairs to chimneys, stairs, porches, underpinning, and repairs to an existing roof not to exceed 33 percent of the roof area.

PHYSICAL VALUE—shall mean the actual cost of replacement of a building or structure with materials of a like kind erected of a like manner to that of the original construction or the physical value shall be the fair market value or the appraised value of the building or structure, exclusive of land values, as may be recorded in the Tax Digest of the Metropolitan Government whichever shall be greater.

PREPARED ROOF COVERINGS—shall be defined as those roof coverings consisting of manufactured shingles or manufactured sheet coverings composed of asbestos cement, asphalt asbestos, asbestos organic felt, asphalt glass fiber prepared shingles or sheet roof coverings approved by Underwriters' Laboratories, Inc.

SELF-SERVICE STORAGE FACILITY AND/OR MINI-WAREHOUSE—means any real property de-

signed and used for the purpose of renting or leasing individual storage space to occupants who are to have access to such space for the purpose of storing and removing personal property; provided, however, that the term "self-service storage facility" or "mini-warehouse" shall not include any real property used for residential purposes.

STREET FLOOR—A story or floor level accessible from the street or from outside a building at ground level, with the floor level at the main entrance located not more than three risers above or below ground level and arranged and utilized to qualify as the main floor.

TEMPORARY—shall mean not more than 90 calendar days.

C. Section 202 of the 2000 Edition of the Standard Code is hereby amended by deleting the definition of Building Official and substituting the following definition to Section 202:

BUILDING OFFICIAL—shall mean the Director of the Metropolitan Department of Codes Administration, his deputy or duly authorized representative.

D. Section 310.1, subsection R-3 and R-4 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 310.1 subsection R-3 & R-4 and substituting the following:

R3: Residential occupancies include the following:

One and two family dwellings where occupants are primarily permanent in nature and not classified as R1, R2, R4 or I.

Rooming houses (transient) providing accommodations for 5 or fewer persons.

Bed and breakfast home stays R3.

Adult and child care facilities which accommodate five or less adults or children of any age for any time period.

R-4 Residential occupancies shall include buildings arranged for occupancy as Residential Care/Assisted Living Facilities including more than five but not more than 16 occupants, excluding staff.

E. Section 501.2 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 501.2 and substituting the following:

501.2. Premises Identification. All buildings and structures within Metropolitan Nashville and Davidson County shall have approved address numbers posted in accordance with following:

1. Residences are to have their numbers at least three (3) inches in size, on a contrasting background, and in a position to be plainly visible and legible from the street or road fronting the property. The numbers may be attached to the residence or the mailbox, if the mailbox is next to the street.
2. Numbers posted on the outside of nonresidential buildings must be six inches, or larger, on a contrasting background, and in a position to be plainly visible and legible from the street or road fronting the premises. Numbers posted on interior doors or spaces (such as a lease space in a mall) must be at least three inches in size.
3. Multifamily buildings shall have their numbers displayed to be plainly visible and legible, on a contrasting background, and a minimum size of six inches in height. Identifying numbers, at least three inches in height shall also be posted on or at the doors of individual dwelling units.

F. Section 502 of the 2000 Edition of the Standard Building Code is hereby amended by deleting the definition for Basement and substituting the following:

BASEMENT—That portion of a building that is partly or completely below grade plane (See “Story above grade plane”). A basement shall be considered as a story above grade plane where the finished surface of the floor above the basement is:

1. More than 6 feet (1829 mm) above average grade plane;
2. More than 6 feet (1829 mm) above the finished ground level for more than 50 percent of the perimeter of the basement; or
3. More than 12 feet (3658 mm) above the finished ground level at any point.

G. Section 503.3 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 503.3 in its entirety.

H. Section 505.1 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 505.1 and substituting the following:

505.1 General. A mezzanine or mezzanines in compliance with this section shall be considered a portion of the floor below. Such mezzanines shall not contribute to the building area as regulated by Section 503.1. Such mezzanines shall not contribute to the number of stories as regulated by section 503.1. The area of the mezzanine shall be included in determining the fire area defined in Section 702. The clear height above and below the mezzanine floor construction shall not be less than 7.5 feet (2286 mm). The construction of a mezzanine shall be consistent with the type of materials and fire resistance ratings required for the building in which it is constructed.

I. Section 504.2 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 504.2 and substituting the following:

504.2 Automatic sprinkler increase. For buildings protected throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, the value specified in Table 503 for maximum height is increased by 20 feet (6096 mm) and the maximum number of stories is increased by one story. These increases are permitted in addition to the area increase.

EXCEPTIONS:

1. Group I-2 of Type IIB, III, IV or V construction.
2. Group H-1, H-2, H-3 or H-5.

J. Section 505.4 Exception 2 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 505.4 Exception 2 and substituting the following:

2. In sprinklered buildings, a mezzanine having two or more means of egress need not open into the room in which it is located if the areas are of the same occupancies and if at least one of the means of egress provides direct access to an exit at the mezzanine level. The mezzanine can not exceed one third of the open area of the room or space in which is located.

K. Sections 507.1, 507.2 and 507.3 of the 2000 Edition of the Standard Building Code are hereby amended by deleting Sections 507.1, 507.2 and 507.3 and substituting the following:

507.1 Unsprinklered, one-story. The area of a one-story, Group F-2 or S-2 building of Type IB, II, III or IV construction shall not be limited when the building is surrounded and adjoined by public ways or yards not less than 60 feet (18 288 mm) in width.

507.2 Sprinklered, one-story. The area of a one-story, Group A-4, B, F, M or S building of Type IB, II, III or IV construction shall not be limited when the building is provided with an automatic sprinkler system throughout in accordance with Section 903.3.1.1, and is surrounded and adjoined by public ways or yards not less than 60 feet (18 288 mm) in width.

EXCEPTIONS:

1. Buildings and structures of Types I and II construction for rack storage facilities, which do not have access by the public shall not be limited in height provided that such buildings conform to the requirements of Section 507.1 and NFPA 231C.

2. The automatic sprinkler system shall not be required in areas occupied for indoor participant sports, such as tennis, skating, swimming and equestrian activities, in occupancies in Group A-4, provided that:

2.1. Exit doors directly to the outside are provided for occupants of the participant sports areas; and

2.2. The building is equipped with a fire alarm system with manual fire alarm boxes installed in accordance with Section 907.

507.3 Two-story. The area of a two-story, Group B, F, M or S building of Type IB, II, III or IV construction shall not be limited when the building is provided with an automatic sprinkler system in accordance with Section 903.3.1.1 throughout, and is surrounded and adjoined by public ways or yards not less than 60 feet (18 288 mm) in width.

L. Section 508.6 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 508.6 and substituting the following:

508.6 Group R-2 buildings of Type IIIA construction. The height limitation for buildings of Type IIIA construction in Group R-2 shall be increased to six stories and 75 feet (22 860 mm) where the first floor construction above the basement has a fire-resistance rating of not less than 3 hours and the floor area is subdivided by

2-hour fire-resistance-rated walls into areas of not more than 3,000 square feet (279 m²) when the building is provided with an automatic sprinkler system throughout in accordance with Section 903.3.1.1.

M. Section 508.7 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Sections 508.7 and substituting the following:

508.7 Group R-2 buildings of Type IIA construction. The height limitation for buildings of Type IIA construction in Group R-2 shall be increased to nine stories and 100 feet (30 480 mm) where the building is separated by not less than 50 feet (15 240 mm) from any other building on the lot and from property lines, the building is provided with an automatic sprinkler system throughout in accordance with Section 903.3.1.1, the exits are segregated in an area enclosed by a 2-hour fire-resistance-rated fire wall and the first floor construction has a fire resistance rating of not less than 1-1/2 hours.

N. Table 601 of the 2000 Edition of the Standard Building Code is hereby amended by adding a new footnote "g" to Table 601.

g. For construction type II, all structural members shall be non combustible

O. Table 602 of the 2000 Edition of the Standard Building Code is hereby amended by adding the following new footnote "d" to Table 602:

d. Mini-warehouse buildings of II construction may have unlimited exterior unprotected wall openings when buildings are spaced a minimum of twenty (20) feet apart and/or twenty (20) feet from a property line when the openings face the property line.

P. Section 704.9 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 704.9 and substituting the following:

704.9 Vertical separation of openings. Openings in exterior walls in adjacent stories shall be separated vertically to protect against fire spread on the exterior of the buildings where the openings are within 5 feet (1524 mm) of each other horizontally and the opening in the lower story is not a protected opening in accordance with Section 714.3.7. Such openings shall be separated vertically at least 3 feet (914 mm) by spandrel girders, exterior walls or other similar assemblies that have a

fire-resistance rating of at least 1 hour or by flame barriers that extend horizontally at least 30 inches (762 mm) beyond the exterior wall. Flame barriers shall also have a fire-resistance rating of at least 1 hour. The unexposed surface temperature limitations specified in ASTM E 119 shall not apply to the flame barriers or vertical separation unless otherwise required by the provisions of this code.

EXCEPTIONS:

1. This section shall not apply to buildings that are three stories or less in height provided that the openings are separated by a minimum of 24 inches.
2. This section shall not apply to buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.
3. Open parking garages.

Q. Section 705.4 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 705.4 and substituting the following:

705.4 Fire-resistance rating. Fire walls shall have a fire-resistance rating of not less than four (4) hours.

EXCEPTION

Attached multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall be a 2 hours non load bearing (fire wall) or 2 -1 hour load bearing fire walls to separate single family dwellings from each other. The fire walls shall be fire rated from both sides of the fire wall.

R. Section 705.5 exception 3 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 705.5 Exception 3 and substituting the following:

3. Fire walls shall be permitted to terminate at the interior surface of noncombustible exterior sheathing where the building on each side of the fire wall is protected by an automatic sprinkler system installed in accordance with Section 903.3.1.1.

S. Section 708.1 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 708.1 and substituting the following:

708.1 General. Wall assemblies installed as required by Sections 310.3, 402.7.2 and 1004.3.2.1 shall comply with this section. These include:

1. Walls separating dwelling units.
2. Walls separating guestrooms in occupancies in Group R-1 and dwelling units in occupancies of Groups of R-2 and R-4.
3. Walls separating tenant spaces in covered mall buildings.
4. Corridor walls.
5. Walls separating tenant spaces from breezeways exit access shall be installed from the first occupied floor to the roof sheathing and fire rated from both sides in R-1 and R-2 occupancies.

T. Section 708.3 of the 2000 Edition of the Standard Building Code is hereby amended by adding a new Section 708.3.1 as follows;

708.3.1. In sprinklered buildings in accordance with Section 903.3.1.1 of a Group A, B, E, and M occupancy, a wall, either full or partial glass, forming a smoke partition may be used in lieu of a required one (1) hour fire resistant wall (tenant separation and corridor walls only) where automatic sprinklers are spaced six (6) feet or less along both sides of the separation wall and not more than one (1) foot away from the glass and so designed that the entire surface of the glass is wet upon activation of the sprinkler system. The wall glass shall be in a gasketed steel frame so installed that the framing system may deflect without breaking (loading) the glass before the sprinkler system operates.

U. Section 708.4 Exceptions 4, 5 and 6 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 708.4 Exceptions 4, 5 and 6 and substituting the following:

4. The fire partition separating tenant spaces in a mall, complying with Section 402.7.2, are not required to extend beyond the underside of a ceiling that is not part of a fire-resistance-rated assembly. A wall is not required in attic or ceiling spaces above tenant separation walls provided a smoke-control system shall be provided where required for atriums in Section 909. Minimum height of 1 hour rated tenant separation wall is 10 feet.

4.1. Tenant separation walls are required to go from the floor to the structural floor/ ceiling or roof/ ceiling assembly in Malls that do not have a smoke control system installed as required by Section 909.

5. Draft stopping is not required at the tenant separation partition in occupancies of Group R-1, R-2 and R-4 that do not exceed four stories in height, the attic space shall be subdivided by draftstops into areas not exceeding 3,000 square feet (279 m²) or above every two dwelling or guest units, whichever is smaller with drafting stopping material on each side of the truss or provide attic draftstopping inline with tenant separation with one layer of draftstopping material.

6. Fireblocking or draftstopping is not required at the tenant separation partitions in buildings equipped with an automatic sprinkler system installed throughout in accordance with Section 903.3.1.1 provided that automatic sprinklers are installed in combustible floor/ceiling and roof/ceiling spaces.

V. Section 715.5.2 Exception 3 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 715.5.2 Exception 3 and substituting the following:

3. Such walls are penetrated by ducted HVAC systems, have a required fire-resistance rating of 1 hour or less, are in areas of other than Group H and are in buildings equipped throughout with an automatic sprinkler system in accordance with section 903.3.1.1.

W. Section 715.5.3.1 Exception 1 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 715.5.3.1 Exception 1 and substituting the following:

1. Steel exhaust subducts extend at least 22 inches (559 mm) vertically in an exhaust riser duct installed in a shaft provided there is a continuous airflow upward to the outside.

X. Section 716.4.2 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 716.4.2 and substituting the following:

716.4.2 Draftstopping shall be provided in attics, mansards, overhangs or other concealed roof spaces of buildings with three or more dwelling or guest units. Draftstopping shall be installed above, and in line with,

tenant and dwelling unit separation walls that do not extend to the underside of the roof sheathing above.

EXCEPTIONS:

1. Where corridor walls provide a tenant or dwelling unit separation, draftstopping shall only be required above one of the corridor walls.

2. Attic draftstopping is not required in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

3. In occupancies that do not exceed four stories in height, the attic space shall be subdivided by draftstops into areas not exceeding 3,000 square feet (279 m²) or above every two dwelling units, whichever is smaller with drafting stopping material on each side of the truss or provide attic draftstopping inline with tenant separation with one layer of draftstopping material.

Y. Sections 907.2.10.1.1 through 907.2.10.1.4 of the 2000 Edition of the Standard Building Code are hereby amended by deleting Sections 907.2.10.1.1 through 907.2.10.1.4 and substituting the following:

907.2.10.1.1 Groups R-2, R-3, R-4 and I-1. Single-or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.

2. In each room used for sleeping purposes.

3. In each story within a dwelling unit, including basements, garages and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Exception: Heat detectors may be substituted for smoke detectors installed in cellars and attached garages.

907.2.10.1.2 Additions, alterations or repairs to Group R. Where an addition, alteration or repair to an individual dwelling unit or guestroom in Group R requires a permit, smoke alarms shall be installed within that in-

dividual dwelling unit or guestroom in accordance with this section. Where one or more sleeping rooms are added or created in an existing Group R, smoke alarms shall be installed in accordance with this section.

Exception: Repairs to the exterior surfaces of occupancies in Group R are exempt from the requirements of this section.

Z. Table 1003.2.3 footnote “a” of the 2000 Edition of the Standard Building Code are hereby amended by deleting the footnote “a” of Table 1003.2.3 and substituting the following:

a. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

AA. Section 1003.2.12.1 and Section 1003.2.12.2 of the 2000 Edition of the Standard Building Code are hereby amended by deleting Section 1003.2.12.1 and Section 1003.2.12.2 and substituting the following

1003.2.12.1 Height. Guards shall form a protective barrier not less than 42 inches (1067 mm) high, measured vertically above the leading edge of the tread, adjacent walking surface or adjacent seatboard.

EXCEPTIONS:

1. The top element of a guard at the inside open or unenclosed edge of any intermediate stairway landing where the stairs reverse direction may be at the same height as the stairway handrails when the horizontal distance between the stair flights is 1 ft (305mm) or less and when a continuous handrail as specified in Section 1003.3.3.11.4 is provided.

2. Guards whose top rail also serves as a handrail shall have a height not less than 34 inches (864 mm) and not more than 38 inches (965 mm) measured vertically from the leading edge of the stair tread nosing.

1003.2.12.2 Opening limitations. Open guards shall have balusters or ornamental patterns such that a 4-inch-diameter (102 mm) sphere cannot pass through any opening up to a height of 34 inches (864 mm). From a height of 34 inches (864 mm) to 42 inches (1067 mm) above the adjacent walking surfaces, a sphere 8 inches (203 mm) in diameter shall not pass. A bottom rail or curb shall be provided that a 2-inch (51.5 mm) in diameter sphere can not pass.

EXCEPTIONS:

1. The triangular openings formed by the riser, tread and bottom rail at the open side of a stairway shall be of a maximum size such that a sphere of 6 inches (152 mm) in diameter cannot pass through the opening.

2. At elevated walking surfaces for access to and use of electrical, mechanical, or plumbing systems or equipment, guards shall have balusters or be of solid materials such that a sphere with a diameter of 21 inches (533 mm) cannot pass through any opening.

3. In occupancies in Group 1-3, F, H or S, balusters, horizontal intermediate rails or other construction shall not permit a sphere with a diameter of 21 inches (533 mm) to pass through any opening.

4. In assembly seating areas, guards at the end of aisles where they terminate at a fascia of boxes, balconies, and galleries shall have balusters or ornamental patterns such that a 4-inch-diameter (102 mm) sphere cannot pass through any opening up to a height of 26 inches (660 mm). From a height of 26 inches (660 mm) to 42 inches (1067 mm) above the adjacent walking surfaces, a sphere 8 inches (203 mm) in diameter shall not pass.

AB. Section 1004.2.2.1 Exception 2 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 1004.2.2.1 Exception 2 and substituting the following:

2. Where a building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 the separation distance of the exit doors or exit access doorways shall not be less than one-third of the length of the maximum overall diagonal dimension of the area served.

AC. Table 1004.2.4 footnote “b” of the 2000 Edition of the Standard Building Code is hereby amended by deleting the footnote “b” of Table 1004.2.4 and substituting the following:

b. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

AD. Table 1004.3.2.1 footnote “c” of the 2000 Edition of the Standard Building Code is hereby amended by deleting the footnote “c” of Table 1004.3.2.1 and substituting the following:

c. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

AE. Footnote “c” of Table 1005.2.2 of the 2000 Edition of the Standard Building Code is hereby amended by deleting footnote “c” of Table 1005.2.2 substituting the following:

c. Buildings classified as Group R-2 equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and provided with emergency escape and rescue openings in accordance with Section 1009 shall have a maximum height of three stories above grade.

AF. Section 1009.1 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 1009.1 and substituting the following:

1009.1 Every sleeping room on the first, second, third and fourth story or within basements of Group R occupancies shall have at least one operable window or exterior door approved for emergency egress or rescue.

EXCEPTIONS:

1. Group R1 occupancies equipped with an approved automatic sprinkler system in accordance with Section 903.3.1.1.

2. Group R1 occupancies with sleeping rooms provided with a door to a rated corridor or balcony having access to two remote exits in opposite directions.

3. The emergency escape and rescue opening may open onto a balcony within an atrium provided the balcony provides access to an exit and the dwelling unit or sleeping room has a means of egress which is not open to the atrium.

AG. Section 1503.4.1 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 1503.4.1 and substituting the following:

1503.4.1 Gutter and Leaders. All buildings shall be provided with adequate gutters and leaders of a non-combustible material or a minimum of schedule 40 plastic pipe. See Chapter 11 of the Standard Plumbing Code for sizing of vertical leaders and horizontal storm drains. All leaders shall be terminated in an approved storm drain or storm sewer system where such is available. Where a public storm sewer system is not avail-

able, adequate provision shall be made by the owner for the disposal of all storm water.

1503.4.2. Where leaders and storm drains are required along a public right of way adjacent to public sidewalks or paved public walkways, the discharge from such leaders shall be piped under such sidewalk or paved public walkway to the nearest storm sewer or sidewalk curb. No storm water shall be discharged in such a manner as will permit it to flow over or across any public sidewalk or paved public right of way area.

AH. Section 2109.4.3 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 2109.4.3 and substituting the following:

2109.4.3 Lateral support. Lateral support shall be provided by intersecting walls, pilasters, columns, or other vertical members of sufficient strength to provide the required support when the distance between supports is measured horizontally; or by floors, roofs or other horizontal structural elements which are of sufficient strength to provide the required support when the distance between supports is measured vertically.

2109.4.3.1 Sufficient bonding or anchorage shall be provided between the walls and their supports to resist the assumed wind or other horizontal forces acting either inward or outward. All structural elements relied upon for lateral support shall have sufficient strength and stability to transfer the horizontal force acting in either direction to adjacent structural members or to the ground. When floors or roofs are depended upon for receiving horizontal forces, provisions shall be made in the buildings to transfer the lateral forces to the ground.

2109.4.3.2 When horizontal structural elements of a building (such as floors, roof spandrel beams) are depended upon for lateral support, vertical bracing of bearing or nonbearing wall shall also be provided at intervals of not more than 75 times the wall thickness. Such vertical bracing may be provided by cross walls, pilasters, buttresses or other equivalent structural members.

2109.4.3.3 PILASTERS. When relied upon to provide the required lateral support, the width of pilasters shall not be less than 1/10 the spaces between such pilasters. All pilasters shall not be less than 4 inches (102 mm) thicker than the wall supported. In no case shall the distance between such pilasters exceed the lateral support provisions of Table 2109.4.1.

2109.4.3.4 PIERS. The unsupported height of masonry piers shall not exceed 10 times their least dimension. When structural clay tile or hollow concrete masonry units are used for isolated piers to support beams and girders, the cellular spaces shall be filled solidly with concrete or Type M or S mortar, except that unfilled hollow piers may be used if their unsupported height is not more than four times their least dimension. When hollow masonry units are solidly filled with concrete or Type M, S or N mortar, the allowable compressive stress may be increased as provided for in Table 2109.3.2.

2109.4.3.5 Hollow piers shall be capped with 4 inches (102 mm) of solid masonry or concrete or shall have

cavities of top course filled with concrete or grout or other methods approved by the Building Official.

AI. Section 2308.9.1 and Table 2308.9.1 of the 2000 Edition of the Standard Building Code are amended by deleting Section 2308.9.1 and Table 2308.9.1 and substituting the following:

2308.9.1. Studs in one and two story buildings shall not be less than 2 X 4 with the wide face perpendicular to the wall. In three story buildings, studs in first story shall not be less than 2 X 4s @ 12 in. o.c., 3 X 4s or 2 X 6s. Studs shall be spaced in accordance with Table 2308.9.1.

**TABLE 2308.9.1
SIZE, HEIGHT AND SPACING OF WOOD STUDS**

| Stud Size (Inches) | BEARING WALLS | | | | NONBEARING WALLS | |
|-----------------------|--|--|---|--|---|---------------------|
| | Laterally unsupported stud height ^a (feet) | Supporting roof and ceiling only | Supporting one floor, roof and ceiling | Supporting two floors, roof and ceiling | Laterally unsupported stud height (feet) | Spacing (Inches) |
| | Spacing (Inches) | | | | | |
| 2x3 ^b | — | — | — | — | 10 | 16 |
| 2x4 | 10 | 24 | 16 | 12 | 14 | 24 |
| 3x4 | 10 | 24 | 24 | 16 | 14 | 24 |
| 2x5 | 10 | 24 | 24 | — | 16 | 24 |
| 2x6 | 10 | 24 | 24 | 16 | 20 | 24 |

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

- Listed heights are distances between points of lateral support placed perpendicular to the plane of the wall. Increases in unsupported height are permitted where justified by an analysis.
- Shall not be used in exterior walls.

AJ. Footnotes e and f of Table 2902.1 of the 2000 Edition of the Standard Building Code are hereby amended by deleting footnotes e and f of Table 2902.1 and substituting the following:

- e. For day nurseries, a minimum of one bathtub shall be required.
- f. The minimum number of service sinks shall be 1 per building or 1 per janitor's closet or 1 per tenant space over 7,500 gross square feet.

AK. Section 2902.2 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 2902.2 and substituting the following:

2902.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

EXCEPTIONS:

- 1. Separate facilities shall not be required for private facilities.
- 2. Separate facilities shall not be required in structures or tenant spaces with a total gross square footages in the following occupancies.

| Table 403.2 OCCUPANCIES WITH ONE BATHROOM FOR BOTH SEXES | |
|---|-----------------------------|
| Occupancy | Gross Square footage |
| Business | 1,500 |
| Education | 1,500 |
| Factory | 3,000 |
| Mercantile | 2,000 |
| Pools | 1,000 |
| Restaurants | 1,000 |
| Storage | 7,500 |

EXCEPTION: Any business that dispenses gasoline or diesel oil to the public shall have separate facilities for each sex.

AL. Section 2902.4 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 2902.4 and substituting the following:

2902.4 Location of employee toilet facilities in occupancies other than assembly or mercantile. Access to toilet facilities in occupancies other than mercantile

and assembly occupancies shall be from within the employees' regular working area. Employee facilities shall be either separate facilities or combined employee and public customer facilities. Minimum employee facilities are 1 water closet, 1 lavatory and 1 drinking fountain.

EXCEPTION:

- 1. Facilities that are required for employees in storage structures or kiosks, and are located in adjacent structures under the same ownership, lease or control, shall be a maximum travel distance of 500 feet (152 m) from the employees' regular working area.
- 2. In education occupancies, the maximum travel distance to bathrooms shall be 300 ft and the facilities shall be located on the same floor level.

2902.4.1 Travel distance. The required toilet facilities in occupancies other than assembly or mercantile shall be located not more than one story above or below the employee's regular working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m).

EXCEPTION: The location and maximum travel distances to the required employee toilet facilities in factory and industrial occupancies are permitted to exceed that required in Section 2902.4.1, provided the location and maximum travel distances are approved by the code official.

AM. Section 2902.6 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 2902.5 and substituting the following:

2902.5 Public facilities. Customers, patrons and visitors shall be provided with public toilet facilities in structures and tenant spaces intended for public utilization. Public toilet facilities shall be located not more than one story above or below the space required to be provided with public toilet facilities and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). The path of travel to the public facilities shall not pass through a stock room or similar room.

2902.6.1 Covered malls. In covered mall buildings, the path of travel to required toilet facilities shall not exceed a distance of 300 feet (91 440 mm). The required facilities shall be based on total gross square

footage, and facilities shall be installed in each individual store or in central toilet areas located in accordance with this section. Restaurants other than food tenants in the food court shall have the required facilities installed within their tenant space. The maximum travel distance to the central toilet facilities in covered mall buildings shall be measured from the main entrance of any store or tenant space.

2902.6.2 Pay facilities. Required facilities shall be free of charge and designated by legible signs for each sex. Where pay facilities are installed, such facilities shall be in excess of the required minimum facilities.

2902.6.3 Public lavatories. In employee and public toilet rooms, the required lavatory shall be located in the same room as the required water closet. Exception. Educational occupancies

2902.6.4 Unisex toilet and bathing rooms. In assembly and mercantile occupancies, an accessible unisex toilet room shall be provided where an aggregate of six or more male or female water closets are required. In buildings of mixed occupancy, only those water closets required for the assembly or mercantile occupancy shall be used to determine the unisex toilet room requirement. In recreational facilities where separate-sex bathing rooms are provided, an accessible unisex bathing room shall be provided.

2902.6.4.1 Standard. Unisex toilet and bathing rooms shall comply with Section 404 of the Standard Plumbing Code and ICC/ANSI A117.1

AN. Section 3103 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 3103 and substituting the following:

3103

TEMPORARY STRUCTURES

3103.1 General. The provisions of this section shall apply to structures erected for a period of 90 days or less. Tents and other membrane structures erected for a period of 90 days or less shall comply with the Metropolitan Fire Code. Those erected for a longer period of time shall comply with applicable sections of this code.

EXCEPTION: Provisions of the Metropolitan Fire Code shall apply to tents and membrane structures erected for a period of 90 days or less.

3103.1.1 Permit required. Temporary structures that cover an area in excess of 120 square feet (11.16 m²), including connecting areas or spaces with a common means of egress or entrance which are used or intended to be used for the gathering together of ten or more persons, shall not be erected, operated or maintained for any purpose without obtaining a permit from the building official.

AO. Section 3109.4.1.8 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 3109.4.1.8 in its entirety.

AP. Section 3202.2 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 3202.2 and substituting the following:

3202.2 Encroachments above grade and below 8 feet in height. Encroachments into the public right-of-way above grade and below 8 feet (2438 mm) in height shall be prohibited. Doors and windows shall not open or project into the public right-of-way above grade and below 8 feet in height.

3202.2.1 Awnings, canopies, marquees and signs. The vertical clearance from the public right-of-way sidewalk to the lowest part of any awning, canopies, marquees and signs, shall be 8 feet (2438 mm) minimum.

AQ. Section 3202.3.1 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 3202.3.1 and substituting the following:

3202.3.1 Awnings, canopies, marquees and signs. Awnings, canopies, marquees and signs shall be constructed so as to support applicable loads as specified in Chapter 16. Awnings, canopies, marquees and signs with less than 15 feet (4572 mm) clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building.

3202.3.1.1 SUPPORT. Fixed awnings, marquees, signs or canopies shall be entirely supported from the building.

AR. Section 3202.4 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 3202.4 and substituting the following:

3202.4 Temporary encroachments. Where allowed by the local authority having jurisdiction, vestibules and

storm enclosures shall not be erected for a period of time exceeding 90 days in any one year and shall not encroach more than 3 feet (914 mm) nor more than one-fourth of the width of the sidewalk beyond the street lot line. Temporary entrance awnings shall be erected with a minimum clearance of 8 feet (2438 mm) to the lowest portion of the hood or awning where supported on removable steel or other approved noncombustible support from the building.

AS. Section 3409 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 3409 in its entirety.

AT. Section D101.2 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section D101.2 and substituting the following:

D101.2 The Fire District shall include such territory or portion thereof as established by the official Fire Zone Map of the Metropolitan Government of Nashville and Davidson County, Tennessee. (Ord. BL1142 § 14, 2002; Ord. BL2001-703 § 10, 2001; Ord. 98-1445 §§ 24—44, 1998; Ord. 96-562 §§ 3—8, 1996; Ord. 95-1542 § 2, 1995; Ord. 95-1487 §§ 4—19, 1995; Ord. 94-1113 §§ 3 and 4, 1994; Ord. 92-118 § 3, 1992)

16.08.014 Amendments to the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings.

The following amendments, deletions or additions to the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings are adopted by reference as fully as though copied into said Dwelling Code and thereby made a part of the Dwelling Code.

A. Section R101 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section R101 and substituting the following:

SECTION R101 SCOPE AND PURPOSE

R101.1 Scope. The provisions of the code apply to the construction, enlargement, replacement, equipment, location, removal, demolition, prefabrication, movement, alteration, repair, use, occupancy and maintenance of detached one- and two-family dwellings, bed and breakfast homestays, one-family townhouses not more than three stories in height with a separate means of egress and their accessory structures. Com-

pliance with the requirements of this code may be considered as prima facie evidence of compliance with the locally adopted code.

R101.2 Purpose. The purpose of this code is to provide minimum requirements to safeguard the public safety, health and general welfare, through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment.

B. Section R107.1 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting R107.1 Section and substituting the following:

R107.1 General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 90 days. The building official is authorized to grant extensions for demonstrated cause.

C. Section R107.3 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting R107.3 Section and substituting the following:

R107.3 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electrical installation before such installation has been fully completed and the final Use & Occupancy has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in Chapters 33 through Chapter 42 of this code.

D. Section R201 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new Section R201.5:

R201.5 Interchangeability with the Standard Codes. The International Building Code shall be construed to mean the Standard Building Code. The International Property Maintenance Code shall be construed to mean the Property Maintenance Code of the Metropolitan Government. The International Mechanical Code shall be construed to mean the Standard Mechanical Code. The International Fuel Gas Code shall

be construed to mean the Standard Gas Code. The International Plumbing Code shall be construed to mean the Standard Plumbing Code. The ICC Electrical Code shall be construed to mean the National Electrical Code.

E. Section R202 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new definitions to Section R202:

BED AND BREAKFAST HOMESTAY—means a private home, inn or other unique residential facility located in a structure of historical significance as defined in Tennessee Code Annotated Section 68-14-503(3) offering bed and breakfast accommodations and one (1) daily meal and having less than four (4) guest rooms furnished for pay, with guest staying not more than fourteen (14) days, and where the innkeeper resides on the premises or property, or immediately adjacent to it. Guest rooms shall be established and maintained distinct and separate from the innkeeper's quarters.

BOARD—shall mean the Metropolitan Board of Fire and Building Code Appeals.

DIRECTOR—shall mean the Director of the Metropolitan Department of Codes Administration, his deputy or duly authorized representative.

FARM ACCESSORY BUILDING—shall be defined as barns, animal and poultry houses, silos, storage and feed sheds, animal shelters and similar farm structures provided that no such building or structure is designed for or intended to be used as a place of human habitation.

NORMAL MAINTENANCE REPAIRS—shall be defined as repairs to an existing building or structure, including but not limited to exterior and interior painting, papering, glazing of windows and doors, floor finishing, minor repairs to chimneys, stairs, porches, underpinning, and repairs to an existing roof not to exceed 33 percent of the roof area.

PHYSICAL VALUE—shall mean the actual cost of replacement of a building or structure with materials of a like kind erected of a like manner to that of the original construction or the physical value shall be the fair market value or the appraised value of the building or structure, exclusive of land values, as may be

recorded in the Tax Digest of the Metropolitan Government whichever shall be greater.

PREPARED ROOF COVERINGS—shall be defined as those roof coverings consisting of manufactured shingles or manufactured sheet coverings composed of asbestos cement, asphalt asbestos, asbestos organic felt, asphalt glass fiber prepared shingles or sheet roof coverings approved by Underwriters' Laboratories, Inc.

TEMPORARY—shall mean not more than 90 calendar days.

F. Section R202 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting the definitions of "Building Official," "Built Up Roof Covering" and "Family" substituting the following:

BUILDING OFFICIAL—shall mean the Director of the Metropolitan Department of Codes Administration.

BUILT UP ROOF COVERING—shall be defined as those roof coverings composed of layers of asphalt saturated organic felt and/or combinations of cap or base sheets applied with hot mopping asphalt and surfaced with roofing gravel, crushed slag or a similar built-up covering of layers and cold applications and surfacing cements, tar asbestos felt, roof insulation or glass fiber coverings, any one or a combination of built-up roof covering materials as approved by Underwriters' Laboratories, Inc.

FAMILY—family is an individual, two or more persons related by blood, marriage or law, or a group of not more than any five unrelated persons living together in a dwelling unit.

G. Table R301.2(1) of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Table R301.2(1) and substituting the following:

Table R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

| Roof Snow Load | Wind Speed MPH | Seismic Design ^{1,2} | Subject To Damage From | | | | Winter De- sign Temp |
|----------------------|----------------------|----------------------------------|------------------------|----------------|----------|--------|-------------------------|
| | | | Weathering | Frost Depth | Termite | Decay | |
| 10# | 70 | C | Severe | 12" | Moderate | Severe | 14° F |

Table Footnotes

1. In Seismic Design Group "C", detached one-and two-family dwellings are exempt from the seismic requirements of this code.
2. In Seismic Design Group "C", townhouses of three units or more are exempt from the seismic requirements of this code based upon the Site Soil Classes predominant through out Davidson Country which are considered better than the default Site Class D soil.

H. Section R303.4 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section R303.4 and substituting the following:

303.4 Stairway illumination. All interior and exterior stairs shall be provided with an adequate means to illuminate the stair, including the landings and treads.

Exception: An artificial light source is not required at the top and bottom landing, provided an artificial light source is located directly over each stairway section.

R303.4.1 Light activation. The control for activation of the required interior stairway lighting shall be accessible at the top and bottom of each stair without traversing any step of the stair. The illumination of exterior stairs shall be controlled from inside the dwelling unit.

Exception: Lights that are continuously illuminated or automatically activated.

I. Section R304.4 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section R304.4 and substituting the following:

R304.4 Height effect on room area. Portions of a room with a sloped ceiling measuring less than 5 feet (1524 mm) or a furred ceiling measuring less than 7 feet 6 inches from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required habitable area for that room.

Exception. Kitchens, hallways, corridors, bathrooms, toilet rooms, laundry rooms measuring less than 7 feet from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for that room.

J. Section R305.1 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section R305.1 and substituting the following:

R305.1 Minimum height habitable space. Habitable rooms, shall have a ceiling height of not less than 7 ft. 6 inches. The required height shall be measured from the finish floor to the lowest projection from the ceiling.

R305.1.1 Minimum height non-habitable space. Hallways, corridors, bathrooms, toilet rooms, laundry rooms and basements shall have a ceiling height of not less than 7 ft. The required height shall be measured from the finish floor to the lowest projection from the ceiling.

Exceptions to habitable and non-habitable spaces:

1. Beams and girders spaced not less than 4 feet (1219mm) on center may project not more than 6 inches (152mm) below the required ceiling height.

2. Beams, girders, ducts, or other obstructions in ceilings of basements without habitable spaces may project to within 6 feet, 8 inches (2032mm) of the finished floor.

3. Not more than 50 percent of the required floor area of a room or space is permitted to have a sloped ceiling less than 7 feet 6 inches in height with no portion of the required floor area less than 5 feet (1524 mm) in height.

K. Section R306.1 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section R306.1 and substituting the following:

R306.1 Toilet facilities. Every dwelling unit shall be provided with a water closet, lavatory, kitchen sink, washing machine connection, and a bathtub or shower.

L. Section R309.2 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section R309.2 and substituting the following:

R309.2 Separation required. The garage shall be separated from the residence and its attic area by means of minimum 1/2-inch (12.7 mm) gypsum board applied to the garage side. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall be protected by 1/2 inch gypsum board or equivalent or provide an approved monitored smoke alarm system.

R309.2.1 Carports: A carport need not be separated from the dwelling unit except when a part of or all of the dwelling unit is above or adjacent to the carport.

M. Section R309.5 of the 2000 Edition of the International Residential Code for One- and Two-Family

Dwellings is amended by deleting Section R309.5 in its entirety.

N. Section R314.2 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section R314.2 and substituting the following:

R314.2 Treads and risers. The maximum riser height shall be 7 3/4 inches (197 mm) and the minimum tread depth shall be 9 inches (229 mm). Treads and risers of stairs shall be so proportioned that the sum of two risers and a tread, exclusive of projection of nosing, is not less than 24 inches (610 mm) nor more than 25 inches (635 mm). Every tread less than 10 inches (254 mm-n) deep shall have a nosing, or effective projection, of approximately 1 inch (25.4 mm) over the level immediately below that tread. The riser height shall be measured vertically between leading edges of the adjacent treads. The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The walking surface of the treads and landing of a stairway shall be sloped no steeper than one unit vertical in 48 units horizontal (2 percent slope). The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

O. Section R315.1 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section R315.1 and substituting the following:

R315.1 Handrails. Handrails having minimum and maximum heights of 30 inches and 38 inches (762 mm and 965 mm), respectively, measured vertically from the nosing of the treads, shall be provided on at least one side of stairways of four (4) or more risers. Spiral stairways shall have the required handrail located on the outside radius. All required handrails shall be continuous the full length of the stairs. Ends shall be returned or shall terminate in newel posts or safety terminals. Handrails adjacent to a wall shall have a space of not less than 1- 1/2 inches (38 mm) between the wall and the handrail.

Exceptions:

1. Handrails shall be permitted to be interrupted by a newel post at a turn.

2. The use of a volute, turnout or starting easing shall be allowed over the lowest tread.

P. Section R317 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting and substituting the following:

SECTION R317 SMOKE ALARMS

R317.1 Smoke detectors required. Approved single-station or multiple station smoke detectors shall be installed in accordance NFPA 72, Chapter 2. Smoke detectors shall be installed in each sleeping room, outside of each separate sleeping area in the immediate vicinity of the bedrooms and on each additional story of the dwelling, including basements and cellars, attached garages but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels, a smoke detector need be installed only on the upper level, provided the lower level is less than one full story below the upper level, except that if there is a door between levels, then a detector is required on each level. All detectors shall be interconnected such that the actuation of one alarm will actuate all the alarms in the individual unit and shall provide an alarm which will be audible in all sleeping areas. All detectors shall be approved and listed and shall be installed in accordance with the manufacturer's instructions.

Exception: Heat detectors may be substituted for smoke detectors installed in cellars and attached garages.

R317.1.1 Alteration. Repairs and additions. When interior alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the entire building shall be provided with smoke detectors located as required for new dwellings; the smoke detectors shall be interconnected and hard wired.

Exception: Detectors shall not be required to be interconnected and hard wired when the alterations, repairs or additions do not result in the exposure of electrical wiring by the removal of interior wall and ceiling finishes.

R317.1.2. Bed and breakfast homestays: A smoke detector shall be installed and maintained in each bed-

room and outside of each separate sleeping area in the immediate vicinity of the bedrooms. A battery operated smoke detector is acceptable.

R317.2. Power source. In new construction, the required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for over-current protection. Smoke detectors shall be permitted to be battery operated when installed in buildings without commercial power or in buildings which undergo alterations, repairs or additions regulated by section R317.1.1.

Q. Section R325.1 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section R325.1 and substituting the following:

R325.1. Premises Identification. All buildings and structures within Metropolitan Nashville and Davidson County shall have approved address numbers posted in accordance with following:

Residences are to have their numbers at least three (3) inches in size, on a contrasting background, and in a position to be plainly visible and legible from the street or road fronting the property. The numbers may be attached to the residence or the mailbox, if the mailbox is next to the street.

R. Chapter 3 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new section R330:

SECTION R330—HOUSE MOVING

The owner of any house, building, or structure to be moved shall make all necessary improvements required in order for said house, building or structure to comply with the requirements of this Code within 90 days from the date of the issuance of the moving permit. Extensions of such time as deemed reasonable may be granted by the Building Official upon a showing of delay caused by matters beyond the control of the owner or house mover. The application for the moving permit shall be accompanied by an application for a building permit, accompanied by complete

plans and specifications showing the changes or conditions of said house, building, or structure and all contemplated improvements, signed by the owner or the owner's agent. Once the house, building, or structure has been moved from its foundation, the house or structure must be moved from the site within 30 days.

Exception: For one and two family dwellings no construction plans are required.

S. Table R602.3(5) of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Table R602.3(5) and substituting the following:

| Table No. R602.3(5) MAXIMUM STUD SPACING (INCHES) | | | | |
|--|--|---|---|---|
| Stud Size (inches) | Supporting Roof and Ceiling Only (inches) | Supporting One Floor Roof & Ceiling (inches) | Supporting Two Floors & Ceiling (inches) | Supporting Floor Only (inches) |
| 2 x 4 | 24 | 16 | 12 | 24 |
| 3 x 4 | 24 | 24 | 16 | 24 |
| 2 x 5 | 24 | 24 | 12 | 24 |
| 2 x 6 | 24 | 24 | 16 | 24 |

1 in. = 25.4 mm

1 ft. = 0.305 m

Utility grade studs shall not be spaced more than 16 inches (406 mm.) on center, support more than a roof and ceiling and exceed 8 ft. (2438 mm) in height for exterior load bearing walls.

T. Section R802.4 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section R802.4 and substituting the following:

R802.4 Allowable spans. The unsupported spans for rafters and ceiling joists shall not exceed the values set forth in Tables R802.4(1) and R802.4(2). When the roof pitch is less than three units vertical in 12 units horizontal (25-percent slope), structural members that support rafters and ceiling joists, such as ridge beams, hips and valleys, shall be designed as beams. Collar beams of 1 x 6 boards shall be installed in the upper third of the roof height to every third pair of rafters.

(Ord. BL2001-703 § 2, 2001; Ord. 98-1445 §§ 45—47, 1998; Ord. 96-562 §§ 9—25, 1996; Ord. 95-1542 § 3, 1995; Ord. 95-1487 §§ 20—27, 1995; Ord. 92-118 § 4, 1992)

16.08.016 Amendments to the Energy Code.

A. Section 101.4.1 of the 2000 Edition of the International Energy Conservation Code is hereby amended by adding new sections as follows:

101.4.1.3 Buildings and structures used as nonresidential farm building.

101.4.1.4 Temporary buildings used exclusively for construction purposes.

101.4.1.5 Additions to one and two family dwellings which:

A. Are less than ten percent (10%) of the square footage of the dwelling and;

B. Have more than fifty percent (50%) of the total outside wall and roof space composed of glass.

(Ord. BL2002-1142 § 15, 2002; Ord. 96-562 §§ 26, 27, 1996; Ord. 95-1487 § 28, 1995)

Chapter 16.12

PLUMBING CODE

Sections:

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Article I. General Regulations

16.12.010 Purpose—Remedial.

This chapter is declared to be remedial and shall be construed to secure the beneficial interests and purposes thereof, which are health, sanitation, general public safety and welfare, by regulation of all plumbing, plumbing installations, plumbing systems and plumbing system alterations, repairs and maintenance. (Prior code § 33-1-1)

16.12.020 Scope.

The provisions of this chapter shall apply to every plumbing installation and plumbing system, both new and existing, including, but not limited to, all alterations, repairs, replacement and maintenance and to all plumbing devices, equipment, appliances, fixtures, fittings and appurtenances within the metropolitan government area.

Nothing in this chapter shall be construed to prohibit, and no permits shall be required for, normal maintenance and repairs to an existing plumbing system. (Ord. 90-1253 § 7, 1990; prior code § 33-1-2)

16.12.030 Proper maintenance—Owner responsibility.

A. All plumbing, plumbing installations and plumbing systems both new and existing, and all parts thereof and appurtenances thereto, shall be installed and maintained, as required by this chapter, in a safe and sanitary condition.

B. All devices, equipment and safeguards required by this chapter shall be installed and properly maintained in a safe and sanitary manner and in good working order.

C. The owner or his designated agent shall be held responsible for the proper maintenance of all plumbing, installations and plumbing systems. (Prior code § 33-1-3)

16.12.040 Enforcement—Promulgation of regulations.

A. The director of codes administration shall have the power and his duty shall be to enforce, in the manner herein provided, all laws, ordinances, rules and regulations relating to plumbing, plumbing installations and plumbing systems as set forth in this chapter and any amendments thereto, and to promulgate such rules and regulations as may be deemed necessary for the effective enforcement of this chapter.

B. Such rules and regulations as may be promulgated by the director pursuant to this section shall be approved by the board of plumbing examiners and appeals, shall be approved by the department of law as to form and legality and shall become effective upon written approval of the mayor. (Prior code § 33-1-5)

16.12.050 Additional requirements—Authority of director.

Any requirement deemed necessary for the safety, strength or stability of an existing or proposed plumbing installation or plumbing system or for the health, safety or welfare of the occupants of any building or structure, not specifically covered by the provisions of this chapter, shall be determined by the director of codes administration, subject to an appeal to the board of plumbing examiners and appeals. (Prior code § 33-1-12)

16.12.060 Conflicts with other ordinances.

A. In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, housing, building, fire, safety or health ordinance or code of the metropolitan government, existing on January 1, 1966, the provision which establishes the higher standard for the promotion and protection of the health and safety of the public shall prevail.

B. Where a provision of this chapter is found to be in conflict with a provision of any other ordinance or code

of the metropolitan government, existing on January 1, 1966, which establishes a lower standard for the promotion and protection of the health and safety of the public, the provisions of this chapter shall be deemed to prevail, and such other ordinances and codes are declared to be repealed to the extent that they may be found in conflict with the plumbing code. (Prior code § 33-1-14)

16.12.070 Inspection records—Open to public.

The director of codes administration shall keep or cause to be kept a record of the business activities of the plumbing inspection section. Such records shall be open for public inspection during the normal office hours of the department of codes administration. (Prior code § 33-1-6)

16.12.080 Right of entry.

The director of codes administration shall enforce the provisions of this chapter, and he or his duly authorized representative may enter, with the consent of the owner or occupant or with a valid search warrant, and upon presentation of proper identification, any building, structure or premises within the metropolitan government area to perform any duty or responsibility imposed upon him by this chapter. (Prior code § 33-1-7)

16.12.090 Noncompliance—Stop work orders.

A. When it is found that any plumbing installation is being made or that any plumbing devices, equipment or fixtures required by this chapter are being installed contrary to the provisions of this chapter, or that such plumbing installations, devices, equipment or fixtures installed are dangerous or unsafe, the director of codes administration shall issue or cause to be issued a stop work order.

B. Such stop work order shall be in writing and shall be served upon the owner of such property, his duly authorized agent or the person responsible for such work. A copy of the stop work order shall be posted in a conspicuous place upon the premises and it shall be unlawful for any person to remove such order or to perform any work on the plumbing installation, device, equipment or fixtures so long as the stop work order shall remain in effect.

C. The stop work order shall set forth the reasons why such work is being stopped, the provisions of this chapter being violated and the conditions under which the order may be removed and the work resumed.

D. When, in the opinion of the director, an emergency exists, a written stop work order shall not be required, and in such instances, oral notice to the owner, his agent or the person in charge of the work, by the director or his duly authorized representatives, shall have the same force and effect as a written order. (Prior code § 33-1-9)

16.12.100 Unsafe installations—Abatement.

All plumbing, plumbing installations or plumbing systems which are unsafe or unsanitary, or which are dangerous to human life, or which, in relation to existing or contemplated use, constitute a hazard to the health, safety or general welfare of the community, by reason of improper installation, inadequate maintenance or abandonment, are declared to be illegal and shall be abated by repair, replacement or removal. (Prior code § 33-1-11)

16.12.110 Revocation of permits—Fees not refunded.

The director of codes administration may revoke a plumbing permit or approval issued under the provisions of this chapter in the event there has been any false statement or wilful misrepresentations on which the permit or approval was based. In all such instances, where a permit has been revoked, the permit fee shall not be refunded nor applied to any subsequent application for a permit. (Prior code § 33-1-10)

Article II. Plumbing Code

16.12.120 Adoption by reference.

A. The following sections and appendices of the 2000 Edition of the Standard Plumbing Code are adopted and incorporated into this chapter as the technical section of the plumbing code of the metropolitan government, by reference, as fully as though copied into this code, except as such sections and appendices have been or may be hereafter revised or amended by the metropolitan council: Sections 201 through Chapter 13 inclusive, Appendices B, C, D, E and G.

B. The following sections of the Subsurface Sewage Disposal System Laws and Regulations as published by the Tennessee Department of Environment and Conservation, Ground Water Protection Division, as amended October 1993, are adopted and incorporated into this chapter as the plumbing code of the metropolitan government, by reference, as fully as though copied in this chapter, except as such sections and appendices have been or may be hereafter revised or amended by the metropolitan council: Section 1200-1-6.01 through 1200-1-1.13 and 1200-1-6-.20, 1200-1-6-.22 and Appendices I and II.

See Chapter 15.72 of the Metropolitan Code of Laws for additional requirements. (Ord. BL2002-1142 § 16, 2002; Ord. BL2001-703 § 6, 2001; Ord. 96-562 § 34, 1996; Ord. 95-1487 § 29, 1995)

16.12.130 Amendments to the Standard Plumbing Code.

The following amendments, deletions, or additions to the 2000 Edition of the Standard Plumbing Code are adopted by reference, as fully as though copied into such Plumbing Code, and thereby made a part of the Plumbing Code.

A. Section 201 of the 2000 Edition of the Standard Plumbing Code is amended by adding a new Section 201.5 and substituting the following:

201.5 Interchangeability with the Standard Codes. The International Building Code shall be construed to mean the Standard Building Code. The International Property Maintenance Code shall be construed to mean the Property Standards Code of the Metropolitan Government. The International Mechanical Code shall be construed to mean the Standard Mechanical Code. The International Fuel Gas Code shall be construed to mean the Standard Gas Code. The International Plumbing Code shall be construed to mean the Standard Plumbing Code. The International Private Sewage Disposal Code shall be construed to mean the Subsurface Sewage Disposal Systems Code. The ICC Electrical Code shall be construed to mean the National Electrical Code.

B. Section 202 of the 2000 Edition of the Standard Plumbing Code is hereby amended by adding the definition of "Plumbing Official" as follows:

PLUMBING OFFICIAL—shall mean the Director of the Metropolitan Department of Codes Administration, his deputy or duly authorized representative.

C. Sections 305.6 and 305.6.1 of the 2000 Edition of the Standard Plumbing Code are hereby amended by deleting Sections 305.6 and 305.6.1 and substituting the following:

305.6 Freezing. Plumbing fixtures, water, soil and waste pipes shall not be installed outside of a building, in attics or crawl spaces, concealed in outside walls, or in any other place subjected to freezing temperature unless adequate provision is made to protect such pipes from freezing by insulation and heat or in the case of plumbing fixtures, if the manufacturer provides guidelines for exterior use. Exterior water supply system piping shall be installed not less than twenty-four (24) inches below grade.

305.6.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of

twelve (12) inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of twelve (12) inches below grade. Sewers subject to vehicular traffic require a minimum of twenty-four (24) inches of cover or shall be encased radially in six inches (6) of concrete. A sleeve shall be required to protect the service pipe from the cement encasement in compliance with Section 305.1 Corrosion.

D. Section 305.8 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 305.8 and substituting the following:

305.8 Protection against physical damage. In concealed locations where piping, other than cast-iron or galvanized steel, is installed through holes or notches in studs, joists, rafters or similar members less than 1.5 inches (38 mm) from the nearest edge of the member, the pipe shall be protected by shield plates. Protective shield plates shall be a minimum of 0.062-inch-thick (1.6 mm) steel, shall cover the area of the pipe where the member is notched or bored, and shall extend a minimum of 2 inches (51 mm) above sole plates and a minimum of 2 inches (51 mm) below top plates.

E. Section 307 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 307 and substituting the following:

SECTION 307 STRUCTURAL SAFETY

307.1 General. In the process of installing or repairing any part of a plumbing and drainage installation, the finished floors, walls, ceilings, tile work or any other part of the building or premises that must be changed or replaced shall be left in a safe structural condition in accordance with the requirements of the Standard Building Code.

307.2 Penetrations of floor-ceiling assemblies and fire-resistance-rated assemblies. Penetrations of floor-ceiling assemblies and assemblies required to have a fire-resistance rating shall be protected in accordance with the Standard Building Code.

307.3 Trench location. Trenches installed parallel to footings shall not extend below the 45-degree (0.79 rad) bearing plane of the footing or wall.

307.4.1. Cutting, notching and boring in wood members. Joist notching. Notches on the ends of joists shall

not exceed one-fourth the actual joist depth. Holes bored in joists shall not be within 2 inches (51 mm) of the top or bottom of the joist, and the diameter of any such hole shall not exceed one third the actual depth of the joist. Notches in the top or bottom of joists shall not exceed one sixth of the actual joist depth and shall not be located in the middle third of the span.

307.4.2. Stud cutting and notching. In exterior walls and bearing partitions, any wood stud is permitted to be cut or notched to a depth not exceeding 25 percent of its actual width. Cutting or notching of studs to a depth not greater than 40 percent of the width of the actual stud width is permitted in nonbearing partitions supporting no loads other than the weight of the partition.

307.4.3. Bored holes. A hole not greater in diameter than 40 percent of the actual stud width is permitted to be bored in any wood stud. Bored holes not greater than 60 percent of the actual width of the stud is permitted in nonbearing partitions or in any wall where each bored stud is doubled, provided not more than two such successive doubled studs are so bored. In no case shall the edge of the bored hole be nearer than 0.625 inch (15.9 mm) to the edge of the stud. Bored holes shall not be located at the same section of stud as a cut or notch.

307.5.1 Cutting, notching and boring holes in structural steel framing. The cutting, notching and boring of holes in structural steel framing members shall be as prescribed by the registered design professional.

307.5.2. Cutting, notching and boring holes in cold-formed steel framing. Flanges and lips of load-bearing cold-formed steel framing members shall not be cut or notched. Holes in webs of load-bearing cold-formed steel framing members shall be permitted along the centerline of the web of the framing member and shall not exceed the dimensional limitations, penetration spacing or minimum hole edge distance as prescribed by the registered design professional. Cutting, notching and boring holes of steel floor/roof decking shall be as prescribed by the registered design professional.

307.5.3. Cutting, notching and boring holes in non-structural cold-formed steel wall framing. Flanges and lips of nonstructural cold-formed steel wall studs shall not be cut or notched. Holes in webs of nonstructural cold-formed steel wall studs shall be permitted along the centerline of the web of the framing member, shall not exceed 1.5 inches (38 mm) in width or 4 inches (102 mm) in length, and the holes shall not be spaced

less than 24 inches (610 mm) center to center from another hole or less than 10 inches (254 mm) from the bearing end.

F. Section 312.6 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 312.6 in its entirety.

G. Chapter 3 of the 2000 Edition of the Standard Plumbing Code is hereby amended by adding a new Section 315 as follows:

SECTION 315 BASIC PRINCIPLES

The basic principles of this Code are enunciated as basic goals in environmental sanitation worthy of accomplishment through properly designed, acceptably installed, and adequately maintained plumbing systems. Some of the details of plumbing construction must vary, but the basic sanitary and safety principles are the same. The principles may serve to define the intent.

315.1 Principle No.1

All buildings, structures and premises intended for human habitation, occupancy, use for employment; or the preparation or processing of food, drinks or other materials for human consumption shall be provided with an adequate, safe and potable water supply through a safe system of piping to all fixtures, appliances, appurtenances, etc.

315.2 Principle No. 2

Every building having plumbing fixtures installed and intended for human habitation, occupancy, or use on premises abutting on a street, alley, or easement in which there is a public sewer shall have a separate connection with the sewer.

315.3 Principle No. 3

A dwelling type building provided with a drainage system, a public sewer connection or a private sewage disposal system, shall have at least one water closet, one bathtub or shower, one lavatory, one kitchen-type sink, and an adequate source of hot water, for each family unit to meet minimum basic requirements for health, sanitation and personal hygiene. Water heating facilities shall be accessible for emergency maintenance without entering any individual apartment or living unit, except that water heaters may be located within an apartment or living unit when supplying hot water to that unit only.

All other buildings, structures, or premises intended for human occupancy or use shall be provided with adequate sanitary facilities as may be required, but not less than one water closet and one hand washing lavatory.

315.4 Principle No. 4

Plumbing fixtures shall be made of smooth nonabsorbent material, shall be free from concealed fouling surfaces, and shall be located in ventilated enclosures.

315.5 Principle No. 5

Each fixture directly connected to the drainage system shall be equipped with a water-seal trap.

315.6 Principle No. 6

No substance which will clog the pipes, produce explosive mixtures, destroy the pipes or their joints, or interfere unduly with the sewage-disposal process shall be allowed to enter the building drainage system.

315.7 Principle No. 7

Proper protection shall be provided to prevent contamination of food, water, sterile goods, and similar materials by backflow of sewage. When necessary, the fixture, device, or appliance shall be connected indirectly with the building drainage system.

315.8 Principle No. 8

No water closet shall be located in a room or compartment which is not properly lighted and ventilated.

315.9 Principle No. 9

If water closets or other plumbing fixtures are installed in buildings where there is no sewer within a reasonable distance, suitable provision shall be made for disposing of the building sewage by some accepted method of sewage treatment and disposal.

315.10 Principle No. 10

Where a plumbing drainage system may be subject to backflow of sewage, suitable provisions shall be made to prevent its overflow in the building.

315.11 Principle No. 11

Plumbing shall be installed with due regard to preservation of the strength of structural members and prevention of damage to walls and other surfaces through fixture usage.

315.12 Principle No. 12

Sewage or other waste, from a plumbing system, which may be deleterious to surface or subsurface waters shall

not be discharged into the ground or into any waterway unless it has first been rendered innocuous through subjection to some acceptable form of treatment.

315.13 Principle No. 13

All plumbing fixtures, devices, appliances, and appurtenances shall be adequately supplied with water in sufficient volume and pressure to enable them to function properly.

315.14 Principle No. 14

The pipes conveying water to plumbing fixtures, appliances, devices and appurtenances shall be of sufficient size as to supply water at rates that will prevent undue pressure drops at any one fixture, when any other fixture, appliance, device or appurtenance, or group, is being flushed, operated or used.

315.15 Principle No. 15

There shall be no direct or indirect cross connections, either existing or potential, between a safe potable water supply and an unsafe, non potable supply.

315.16 Principle No. 16 Adequate protection shall be provided to prevent possible backflow or back siphonage of an unsafe or potentially hazardous fluid or material into a safe water system.

315.17 Principle No. 17

The piping and connections of the plumbing system shall be of durable materials, free from defects in workmanship and materials, and systems shall be designed and constructed to provide adequate service for a reasonable life under stresses imposed by structural loading, temperature variation, vibration and other conditions.

315.18 Principle No. 18

Devices for heating and storing water shall be designed and installed to prevent all danger from overheating and explosion and to prevent undue flow of hot water or steam into the cold water supply pipes.

315.19 Principle No. 19

Refrigerators, coolers, receptacles, sterilizers, vats, and similar equipment used for storing or holding foods, beverages, sterile goods and water conditioning equipment, etc., shall discharge into the building drainage system through an indirect waste.

315.20 Principle No. 20

Water closets, bathtubs, showers, urinals and similar fixtures shall be suitably enclosed and screened for privacy.

315.21 Principle No. 21

Plumbing systems, including fixtures, shall be maintained in sanitary condition and proper working order.

315.22 Principle No. 22

Sewage and wastes from plumbing and drainage systems shall be adequately treated and disposed of in accordance with the requirements of the Plumbing Official.

H. Footnotes e and f of Table 403.1 of the 2000 Edition of the Standard Plumbing Code are hereby amended by deleting footnotes e and f of Table 403.1 and substituting the following:

e. For day nurseries, a minimum of one bathtub shall be required.

f. The minimum number of service sinks shall be 1 per building or 1 per janitor's closet or 1 per tenant space over 7,500 gross square feet.

I. Section 403.2 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 403.2 and substituting the following:

403.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

EXCEPTIONS:

1. Separate facilities shall not be required for private facilities.

2. Separate facilities shall not be required in structures or tenant spaces with a total gross square footages in the following occupancies.

| Table 403.2 OCCUPANCIES WITH ONE BATHROOM FOR BOTH SEXES | |
|---|-----------------------------|
| Occupancy | Gross Square footage |
| Business | 1, 500 |
| Education | 1,500 |
| Factory | 3,000 |
| Mercantile | 2,000 |
| Pools | 1,000 |
| Restaurants | 1,000 |
| Storage | 7,500 |

EXCEPTION: Any business that dispenses gasoline or diesel oil to the public shall have separate facilities for men and female.

J. Section 403.4 of the 2000 Edition of the Standard Building Code is hereby amended by deleting Section 403.4 and substituting the following:

403.4 Location of employee toilet facilities in occupancies other than assembly or mercantile. Access to toilet facilities in occupancies other than mercantile and assembly occupancies shall be from within the employees' regular working area. Employee facilities shall be either separate facilities or combined employee and public customer facilities. Minimum employee facilities are 1 water closet, 1 lavatory and 1 drinking fountain.

EXCEPTION:

1. Facilities that are required for employees in storage structures or kiosks, and are located in adjacent structures under the same ownership, lease or control, shall be a maximum travel distance of 500 feet (152 m) from the employees' regular working area.

2. In education occupancies, the maximum travel distance to bathrooms shall be 300 ft and the facilities shall be located on the same floor level.

403.4.1 Travel distance. The required toilet facilities in occupancies other than assembly or mercantile shall be located not more than one story above or below the employee's regular working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m).

EXCEPTION: The location and maximum travel distances to the required employee toilet facilities in factory and industrial occupancies are permitted to exceed that required in 403.4.1, provided the location and maximum travel distances are approved by the code official.

K. Section 403.6 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 403.6 and substituting the following:

403.6 Public facilities. Customers, patrons and visitors shall be provided with public toilet facilities in structures and tenant spaces intended for public utilization. Public toilet facilities shall be located not more than one story above or below the space required to be pro-

vided with public toilet facilities and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). The path of travel to the public facilities shall not pass through a stock room or similar room.

403.6.1 Covered malls. In covered mall buildings, the path of travel to required toilet facilities shall not exceed a distance of 300 feet (91440 mm). The required facilities shall be based on total gross square footage, and facilities shall be installed in each individual store or in central toilet areas located in accordance with this section. Restaurants other than food tenants in the food court shall have the required facilities installed within their tenant space. The maximum travel distance to the central toilet facilities in covered mall buildings shall be measured from the main entrance of any store or tenant space.

403.6.2 Pay facilities. Required facilities shall be free of charge and designated by legible signs for each sex. Where pay facilities are installed, such facilities shall be in excess of the required minimum facilities.

L. Section 405.3.3 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 405.3.3 and substituting the following:

405.3.3 Public lavatories. In employee and public toilet rooms, the required lavatory shall be located in the same room as the required water closet. Exception. Educational occupancies

M. Section 406.2 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 406.2 in its entirety.

N. Section 409.2 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 409.2 and substituting the following:

409.2 Water connection. The water supply to a commercial dishwashing machine shall be protected against backflow by an air gap or backflow preventer in accordance with Section 608.

O. Section 410.1 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 410.1 and substituting the following:

410.1 Approval. Drinking fountains shall conform to ASME A112.19.1, ASME A112.19.2 or ASME A112.19.9, and water coolers shall conform to ARI

1010. Where water is served in restaurants, drinking fountains shall not be required.

P. Section 411.1 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 411.1 and substituting the following:

411.1 Water connection. Emergency showers and eye-wash stations shall be provided with an unvalved supply of cold water as required by the manufacturer.

Q. Section 412.3 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 412.3 and substituting the following:

412.3 Size of floor drains. Floor drains shall have a minimum 3-inch-diameter (76 mm) drain outlet.

R. Section 420 of the 2000 Edition of the Standard Plumbing Code is hereby amended by adding a new Section 420.5 as follows:

420.5 Surrounding material. Walls within 2 feet (610 mm) of a water closet shall have a smooth, hard, non-absorbent surface, to a height of 4 feet (1219 mm) above the floor, and except for structural elements, the materials used in such walls shall be of a type that is not adversely affected by moisture.

S. Section 423.1 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 423.1 and substituting the following:

423.1 Water connections. Baptisteries, ornamental and lily pools, aquariums, ornamental fountain basins, swimming pools, and similar constructions, where provided with water supplies, shall be protected against backflow in accordance with 608. Provide back flow preventer if the fill spout is not provided with an air gap.

T. Section 425 of the 2000 Edition of the Standard Plumbing Code is hereby amended by adding a new Section 425.2.

425.2 Access to concealed connections. Fixtures with concealed slip-joint connections shall be provided with an access panel or utility space at least 12 inches (305 mm) in its smallest dimension or other approved arrangement so as to provide access to the slip connections for inspection and repair.

U. Section 501.2 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 501.2 and substituting the following:

501.2 Water heater as space heater. Where a combination potable water heating and space heating system requires water for space heating at temperatures higher than 140°F (60°C), a tempering valve shall be provided to limit the water supplied to the potable hot water distribution system to a temperature of 120°F. The potability of the water shall be maintained throughout the system.

V. Section 503.1 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 503.1 and substituting the following:

503.1 Cold water line valve. The cold water branch line from the main water supply line to each hot water storage tank or water heater shall be provided with a valve, located within 3 feet of the equipment and serving only the hot water storage tank or water heater. The valve shall not interfere or cause a disruption of the cold water supply to the remainder of the cold water system. The valve shall be provided with access on the same floor level as the water heater served.

W. Section 504.7.1 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 504.7.1 and substituting the following:

504.7.1 Pan size and drain. The pan shall be not less than 2.0 inches (51 mm) deep and shall have a minimum clearance from the water heater of two (2) inches on all sides: the pan shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a minimum diameter of 1 inch.

X. Section 606.1 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 606.1 and substituting the following:

606.1 Location of full-open valves. Full-open valves shall be installed in the following locations: The main shut off valve is required to be installed in the habitable or occupied portion of the structure.

1. On the building water service pipe from the public water supply near the curb.
2. On the water distribution supply pipe at the entrance into the structure.

3. On all branches.
4. On the base of every water riser pipe in occupancies other than multiple family residential occupancies that are two stories or less in height.
5. On the top of every water down-feed pipe in occupancies other than one-and two-family residential occupancies.
6. On the entrance to every water supply pipe to a dwelling unit, except where supplying a single fixture equipped with individual stops.
7. On the water supply pipe to a gravity or pressurized water tank.
8. On the water supply pipe to every water heater.

Y. Section 606.2 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 606.2 and substituting the following:

606.2 Location of shutoff valves. Shutoff valves shall be installed in the following locations:

1. On the fixture supply to each plumbing fixture except tubs and showers in other than one-and two-family residential occupancies, and other than in individual guestrooms that are provided with unit shutoff valves in hotels, motels, boarding houses and similar occupancies.
2. On the water supply pipe to each sillcock.
3. On the water supply pipe to each appliance or mechanical equipment.

Z. Footnotes Table 710.1(1) of the 2000 Edition of the Standard Plumbing Code are hereby amended by adding footnote b to Table 710.1(1):

- b. There shall be 3 water closets maximum on any 3 inch drain line.

AA. Section 903.1 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 903.1 and substituting the following:

903.1 Stack required. Every building in which plumbing is installed shall have at least one 3 inch main vent stack. Such stack shall run undiminished in size and as directly as possible from the building drain through to the open air or to a vent header that extends to the open air.

AB. Section 608.16.4 Exception 2 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Section 608.16.4 exception 2 in its entirety.

AC. Chapter 12 of the 2000 Edition of the Standard Plumbing Code is hereby amended by deleting Chapter 12 in its entirety.

AD. The 2000 Edition of the Standard Plumbing Code is hereby amended by adding Appendix H as follows:

APPENDIX H REGULATIONS GOVERNING PRIVATE SEWAGE DISPOSAL SYSTEMS

The following regulations shall apply to the manufacture, sale, installation, repair, alteration, extension and relocation of all private sewage disposal systems under the jurisdiction of the Metropolitan Government of Nashville and Davidson County.

H101 APPROVED AND LIMITATIONS.

H101.1 ALLOWABLE USE. Septic tanks and soil absorption systems and other similar facilities may be constructed where no public sewerage system is available or is likely to become available within a reasonable time.

H101.2 PUBLIC SEWER CONNECTION. Private domestic sewage treatment and disposal systems shall be discontinued and adequately abandoned when public sewers become available to the building served.

H101.3 PERMISSION TO CONSTRUCT. No plumbing permit shall be issued for the installation of any septic tank or disposal field or for any individual or private sewage disposal system until satisfactory evidence of approval of such system, by the Metropolitan Department of Health, has been submitted to the Department of Codes Administration. On approved and recorded subdivisions, such notification consists of a letter to Codes Administration from the Health Department which covers each subdivided lot.

H101.4 PLANS AND SPECIFICATIONS.

H101.4.1 All manufacturers or distributors of mechanical sewage disposal units, filters, precast septic tanks or any other method of sewage disposal must submit detailed plans and specifications to the Director of Health of the Metropolitan Health Department, and receive approval prior to the manufacture and sale or installation of the product with the Metropolitan area of Nashville and Davidson County.

H101.4.2 Commercial and public buildings, such as but not limited to theaters, food dispensers, assembly halls, schools, churches, apartment buildings, motels, factories, mobile home parks, camp grounds and parks proposed to be constructed in an unsewered area, must submit detailed plans and specifications for the proposed sewage disposal system to the Sanitary Engineering Division of the Metropolitan Health Department for approval prior to any construction.

H101.4.3 The plans and specifications shall be submitted in triplicate and shall include the following:

H101.4.3.1 Detailed plan of the proposed septic tank or treatment tank and effluent disposal system showing building location, and with the distance labeled from building served to system, from system to well, lot line, lake, stream or other watercourse.

H101.4.3.2 The ground slope should be indicated and information submitted relative to the expected use and occupancy of the building to be served.

H101.4.3.3 Provide soil borings and percolation test data.

H101.4.3.4 There shall be maintained at the project site one set of plans bearing the Health Department's stamp of approval.

(Ord. BL2002-1142 § 17, 2002; Ord. 98-1445 §§ 48—50, 1998; Ord. 96-562 § 35, 1996; Ord. 95-1487 §§ 30—51, 1995; Ord. 92-118 §§ 6—8, 1992; Ord. 89-1001 § 1 (part), 1989; Ord. 89-828 §§ 1, 2, 1989; prior code § 33-1-28 (a) (part))

16.12.140 Amendments to the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings.

The following amendments, deletions, or additions to the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings are hereby adopted by reference as fully as though copied into said dwelling code and thereby made a part of the dwelling code.

A. Section P2603.6 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section P2603.6 and substituting the following:

P2603.6 Freezing. Water, soil, or waste pipe and sanitary "P" traps shall not be installed or permitted outside of a building, or concealed in exterior walls, in attic spaces or building overhangs above the adjacent grade.

Soil and waste pipes may be installed in outside walls when adequate provisions are made to protect them from freezing. Water service pipe shall not be installed less than 24 in. below finished grade measured from the top of the pipe.

B. Chapter 26 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new Section P2610:

SECTION P2610-BASIC PRINCIPLES

The basic principles of this Code are enunciated as basic goals in environmental sanitation worthy of accomplishment through properly designed, acceptably installed, and adequately maintained plumbing systems. Some of the details of plumbing construction must vary, but the basic sanitary and safety principles are the same. The principles may serve to define the intent.

P2610.1. Principle No. 1.

All buildings, structures and premises intended for human habitation, occupancy, use for employment; or the preparation or processing of food, drinks, or other materials for human consumption shall be provided with an adequate, safe, and potable water supply through a safe system of piping to all fixtures, appliances, appurtenances, etc.

P2610.2 Principle No. 2.

Every building having plumbing fixtures installed and intended for human habitation, occupancy, or use on premises abutting on a street, alley, or easement in which there is a public sewer shall have a separate connection with the sewer.

P2610.3 Principle No. 3.

A dwelling type building provided with a drainage system, a public sewer connection or a private sewage disposal system, shall have at least one washing connection, water closet, one bathtub or shower, one lavatory, one kitchen-type sink and an adequate source of hot water, for each family unit to meet minimum basic requirements for health, sanitation, and personal hygiene. Water heating facilities shall be readily accessible for emergency maintenance without entering any individual apartment or living unit, except that water heaters may be located within an apartment or living unit when supplying hot water to that unit only.

All other buildings, structures, or premises intended for human occupancy or use shall be provided with ade-

quate sanitary facilities as may be required, but not less than one water closet and one hand washing lavatory.

P2610.4 Principle No. 4.

Plumbing fixtures shall be made of smooth nonabsorbent material, shall be free from concealed fouling surfaces, and shall be located in ventilated enclosures.

P2610.5 Principle No. 5.

Each fixture directly connected to the drainage system shall be equipped with a water-seal trap.

P2610.6 Principle No. 6.

No substance which will clog the pipes, produce explosive mixtures, destroy the pipes or their joints, or interfere unduly with the sewage-disposal process shall be allowed to enter the building drainage system.

P2610.7 Principle No. 7.

Proper protection shall be provided to prevent contamination of food, water, sterile goods, and similar materials by backflow of sewage. When necessary, the fixture, device, or appliance shall be connected indirectly with the building drainage system.

P2610.8 Principle No. 8.

No water closet shall be located in a room or compartment which is not properly lighted and ventilated.

P2610.9 Principle No. 9.

If water closets or other plumbing fixtures are installed in buildings where there is no sewer within a reasonable distance, suitable provision shall be made for disposing of the building sewage by some accepted method of sewage treatment and disposal.

P2610.10 Principle No. 10.

Where a plumbing drainage system may be subject to backflow of sewage, suitable provisions shall be made to prevent its overflow in the building.

P2610.11 Principle No. 11.

Plumbing shall be installed with due regard to preservation of the strength of structural members and prevention of damage to walls and other surfaces through fixture usage.

P2610.12 Principle No. 12.

Sewage or other waste, from a plumbing system, which may be deleterious to surface or subsurface waters shall not be discharged into the ground or into any waterway

unless it has first been rendered innocuous through subjection to some acceptable form of treatment.

P2610.13 Principle No. 13.

All plumbing fixtures, devices, appliances, and appurtenances shall be adequately supplied with water in sufficient volume and pressure to enable them to function properly.

P2610.14 Principle No. 14.

The pipes conveying water to plumbing fixtures, appliances, devices, and appurtenances shall be of sufficient size as to supply water at rates that will prevent undue pressure drops at any one fixture, when any other fixture, appliance, device or appurtenance, or group, is being flushed, operated or used.

P2610.15 Principle No. 15.

There shall be no direct or indirect cross connections, either existing or potential, between a safe potable water supply and an unsafe, nonpotable supply.

P2610.16 Principle No. 16.

Adequate protection shall be provided to prevent possible backflow or back siphonage of an unsafe or potentially hazardous fluid or material into a safe water system.

P2610.17 Principle No. 17.

The piping and connections of the plumbing system shall be of durable materials, free from defects in workmanship and materials, and systems shall be designed and constructed to provide adequate service for a reasonable life under stresses imposed by structural loading, temperature variation, vibration, and other conditions.

P2610.18 Principle No. 18.

Devices for heating and storing water shall be designed and installed to prevent all danger from overheating and explosion and to prevent undue flow of hot water or steam into the cold water supply pipes.

P2610.19 Principle No. 19.

Refrigerators, coolers, receptacles, sterilizers, vats, and similar equipment used for storing or holding foods, beverages, sterile goods and water conditioning equipment, etc., shall discharge into the building drainage system through an indirect waste.

P2610.20 Principle No. 20.

Plumbing systems, including fixtures, shall be maintained in sanitary condition and proper working order.

P2610.21 Principle No. 21.

Sewage and wastes from plumbing and drainage systems shall be adequately treated and disposed of in accordance with the requirements of the Plumbing Official.

C. Section P2706.3 Exception 2 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section P2706.3 Exception 2 in its entirety.

D. Section P2801.4 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new Section P2801.4:

P2801.4 Water heaters. Water heaters shall be readily accessible and shall not be located above a suspended ceiling or in unheated and un-insulated space. See Chapter 20 for additional requirements.

Exception: Direct-vent water heaters and other water heaters can be located in unheated basements and attached garages.

E. Section P2801.5 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section P2801.5 and substituting the following:

P2801.5 Required pan. Where water heaters or hot water storage tanks are installed in remote locations or where leaks can cause damage to the building or its contents, the tank or heater shall be installed in a galvanized steel pan having a minimum thickness of 24 gage (0.016) or other pans listed for such use.

Exception: When water heaters are installed in a crawl space or in a basement below grade, no pan is required. The relief valve waste shall terminate 6 to 10 inches above the floor the water heater rests upon.

F. Section P2801.5.1 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section P2801.5.1 and substituting the following:

P2801.5.1 Pan Size and drain. Safety pans shall be no less than 2 in. deep and shall have a minimum clearance from the water heater of 2 in. on all sides. The capacity of the pan shall be of sufficient size to receive all drippings or condensate from the tank or heater. The pan shall be drained by an indirect waste pipe no less than 1 in. in diameter or the diameter of the outlet of the required relief valve, whichever is larger.

G. Section P2903.2 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new Section P2903.2.1:

P2903.2.1 Minimum size. The water-service pipe shall required quantities be of sufficient size to furnish water to the dwelling in and pressures, but in no case shall be less than 3/4-inch (19 mm) nominal diameter from the meter to

the water heater. Exact sizing to account for total demand and for pressure drop due to friction loss shall be determined in accordance with the tables in Section P2903.8. Total demand in water-supply fixture units shall be determined from Tables P2903.6 and P2903.7.

H. Section P2903.5 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new Section P2903.5.1:

P2903.5.1 Air Chambers. Each fixture shall be furnished with air chambers installed in the supply lines, hot and cold, close to the fixture, between the fixture shutoffs and the branch lines, installed in the upright position, connected at the bottom, consisting of pipe with the same ID size as the line installed to, 12 inches in length, with a cap or plug (or manufactured means) to seal the end of the air chamber, to reduce hazard and noise.

Exception: water heaters are not required to have air chambers. Water closets with exposed bottom feeds entering the location through the floor are not required to have air chambers.

I. Section P2903.9.1 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section P2903.9.1 and substituting the following:

P2903.9.1 Service Valve. A main shut-off valve on the water service line shall be installed for each dwelling unit within a building and shall be accessible in the living portion of the dwelling unit. Additionally, the water service shall be valved at the curb or property line in accordance with local requirements.

J. Section P2903.9.3 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section P2903.9.3 and substituting the following:

P2903.9.3 Individual fixtures, riser and branch valves. Valves or stops to individual fixtures or appliances shall be required and the valves or stops shall be accessible on the same floor and within 3 feet of the fixture. Valves for a manifold distribution system may be located at the manifold or at the fixture serviced. Valves to riser and branches may be installed, but shall not be required.

K. Section P2903.10 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section P2903.10 and substituting the following:

P2903.10 Hose bibb. Frost-proof hose bibbs shall contain factory installed or built-in vacuum breakers meeting the ANSI/ASSE 1011 standard.

Exception: Frost-proof hose bibbs installed such that the stem extends through the building insulation into an open heated or semi conditioned space need not be separately valved (see Figure P2903.10).

L. Section P2904.5.1 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section P2904.5.1 and substituting the following:

P2904.5.1 Under concrete slabs. Inaccessible water-distribution piping under slabs shall be copper water tube minimum Type L, brass, cast iron pressure pipe, chlorinated polyvinyl chloride (CPVC) plastic pipe or tubing, all to be installed with approved fittings or bends. Any material subject to corrosion shall be protected when used in corrosive soils. The minimum pressure rating for plastic pipe or tubing shall be 100 psi at 180 Degrees F. (689 kPa at 82 degrees C).

M. Chapter 29 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new Section P2908:

SECTION P2908 TESTING WATER SUPPLY SYSTEMS

P2908.1 General. Upon completion of a section or of the entire water-supply system, it shall be tested under a water pressure not less than 100 psi (689 kPa) for 30 minutes or the water pipe systems may be tested with air at 125 psi if not prohibited by pipe manufacturer specifications, without evidence of leakage. The water used for tests shall be obtained from a potable source of supply.

N. Table P3002.2 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Table P3002.2 and substituting the following:

P3002.2.1 Prohibited Material. The following pipe shall not be used for building sewers or drains in one and two family dwellings:

| | |
|-----------------------------------|-------------|
| ABS-DWV | D 2661-87A |
| ABS Sewer Pipe | D 2751-88 |
| Bituminized fiber drain and sewer | ASTM D 1861 |
| PSP PVC X | D 3033-85 |
| PSM PVC | D 3034-88 |

Table 3002.2.2
BUILDING SEWER PIPING

| | |
|--|------------|
| Cast-iron pipe and fittings | ASTM A 74 |
| Cast-iron pipe and fittings (hubless) | CISPI HS74 |
| Cast-iron soil pipe and fittings for hubless sanitary system | CISPI 301 |
| Seamless copper tube | ASTM B 75 |
| Copper water tube | ASTM B 88 |

| | |
|---|---|
| Concrete sewer, storm drain, and culvert pipe | ASTM C 14 |
| Compression joints for vitrified clay pipe and fittings | ASTM C 425 |
| Vitrified clay pipe and fittings | ASTM C 700 |
| PVC/DV%TV pipe and fittings | ASTM D 2665 |
| 3.25-inch O.D. PVC/DVVV pipe and fittings | ASTM D 2949 |
| Type PSM/PVC sewer pipe and fittings | ASTM D 3034 |
| Joints for drain and sewer plastic pipe using flexible elastomeric seals | ASTM D 3212 |
| Co-extruded PVC Schedule 40, PS 50 or PS - 100 plastic pipe with cellular core | ASTM F 891 |
| Copper drainage tube (DWV) | ASTM B 306 |
| Mechanical couplings for drain waste and vent pipe and sewer pipe | CSA B 602M |
| Solvent cement for PVC-DVVV pipe and fittings | ASTM D 2564 |
| Socket bell for PVC-DWV pipe and fittings | ASTM D 2672 |
| Primers for solvent-cemented PVC-DWV pipe and fittings | ASTM F 656 |
| Couplings for hubless cast-iron soil pipe and fittings | CISPI 310 |
| Shielded couplings joining cast-iron soil pipe and fittings | ASTM C 1277 |
| Cast-iron soil pipe and fittings for hubless | ASTM A 888 |
| Co-extruded composite PVC DWV schedule 40 IPS pipe (solid or cellular core) solvent cement fittings | ASTM F 1488 ASTM D 2564 ASTM D 2665 ASTM F 891 |
| Co-extruded composite PVC DWV IPS-DR-PS in PS35, PS50, PS100, PS140, PS200 solvent cement fittings | ASTM F 1488 ASTM D 2564 ASTM D 2665 ASTM F 891 |
| Co-extruded composite PVC sewer and drain pipe DR-PS in PS35, PS50, PS100, PS140, PS200 solvent cement fittings | ASTM F 1488 ASTM D 2564 ASTM D 3034 ASTM F 789 |

O. Section P3003.3.5 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section P3003.3.5 and substituting the following:

3003.3.5 Clay or cement soil pipe joints. Joints in clay or cement piping shall be made using flexible compression joints, elastomeric rings, elastomeric couplings.

P. Section P3005.2.7 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section P3005.2.7 and substituting the following:

P3005.2.7 Building drain and building sewer junction. There shall be a cleanout near the junction of the building drain and building sewer. This cleanout shall be outside the building wall and brought up to finish grade.

Q. Section P3005.2.10 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting section P3005.2.10.

R. Section P3005.4.1 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section P3005.4.1 and substituting the following:

P3005.4.1 Fixture branch and stack sizing. Fixture branch and stacks shall be sized using the following general procedure:

1. Branches and stacks shall be sized according to Table P3005.4.1. Below-grade drain pipes shall not be less than 2 inches in diameter.

2. Minimum Stack Size. Drain stack shall not be smaller than the largest horizontal branch connected, with the following exception:

2.1. A 4-inch-by-3-inch (102 mm by 76 mm) closet bend or flange or a 4-inch (102 mm) closet bend into a 3-inch (76 mm) stack tee shall be acceptable (see Section P3005.1.4).

S. Table P3005.4.1 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new footnote c:

c. No building sewer shall be less than four (4) inches in size, and the first two and one-half (2 1/2) feet from the main tap shall be a minimum of six (6) inches in diameter.

T. Chapter 30 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new Section P3009:

SECTION P3009—SWIMMING POOLS

Piping carrying waste water from swimming or wading pools, including pool drainage, backwash from filters, water from scum gutter drains or floor drains that serve walks around pools, shall be connected to the sanitary sewer system. They shall be installed as an indirect waste utilizing a circulation pump, if necessary, when indirect waste line is below the sewer grade.

U. Section P3102.1 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section P3102.1 and substituting the following:

P3102.1. Main vent required. Every building shall have a main vent that is either a vent stack or a stack vent. Such vent size shall be a minimum 3 inches in diameter and shall run undiminished in size and as directly as possible from the building drain up through to the open air above the roof. Additional branches may be served by air admittance values installed in accordance with Section P3114.

V. Section P3201.2 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section P3201.2 and substituting the following:

P3201.2 Trap seals. Traps shall have a liquid seal of not less than 2 inches (51 mm) and not more than 4 inches (102 mm). Traps that could lose their seal due to evaporation because of infrequent use, such as floor drains, shall be fitted with a trap primer.

(Ord. BL2001-703 § 7, 2001; Ord. 96-562 §§ 36—67, 1996)

Article III. (Reserved)

Article IV. Plumbing Permits

16.12.150 Required—Exceptions.

A. A plumbing permit shall be obtained from the department of codes administration prior to the installation of any plumbing, plumbing system or part thereof, including the installation or repair of a new or existing private sewage disposal system, and prior to the connection of any such plumbing installation or plumbing system to any sewer, sanitary or storm drain, septic drain, or sewage disposal system, public or private, and prior to the installation of any plumbing device, equipment, appliance or fixture in any existing or proposed plumbing installation or system, regardless of whether any such plumbing installation is made within the county or outside the limits thereof.

B. A permit shall not be required for any storm drainage system except where the same connects to a public storm sewer or combination sewer, or is inside or under a building. (Prior code § 33-1-29)

16.12.160 Application.

Application for a plumbing permit shall be made in writing on forms provided by the director of codes administration. Each applicant entitled to receive a plumbing permit shall submit such information as may be deemed necessary to assure that the plumbing installation or plumbing system for which a permit is requested, when

installed, shall comply with the requirements and provisions of this chapter. (Prior code § 33-1-32)

16.12.170 Qualifications.

No permit for the installation of any plumbing, plumbing system, or part thereof, or the connection of any such plumbing installation or plumbing system to any sewer, septic tank or sewerage disposal system, public or private, or the installation or repair of any plumbing device, equipment, appliance, or fixture required or governed by this chapter shall be issued to any person unless such person has been duly registered by the department of codes administration as a metropolitan plumbing contractor; except, that a person holding a current and valid certificate of registration as a metropolitan master plumber or a property owner shall be authorized to obtain permits to do plumbing work or to make plumbing installations as follows:

A. A person holding a certificate as a metropolitan master plumber shall be authorized to obtain permits to do plumbing work in connection with buildings and properties owned and operated by the organization or institution named as employer in his application for examination and certification.

B. The director of codes administration or his duly authorized representative shall be authorized to issue a “homeowner permit” to any resident homeowner desiring to make plumbing improvements and/or additions to his/her residence with the following condition: The improvement and/or additions must be performed by the resident homeowner and must satisfy the chief plumbing inspector that he/she is qualified to install such plumbing work. (Ord. 89-1028 § 2, 1989; prior code § 33-1-30)

16.12.180 Plans and specifications—Requirements.

A. When, in the opinion of the director of codes administration, detailed plans and specifications are necessary to define the nature and character of the work to be performed and to identify the type, grade, and size of the materials, devices, equipment, and fixtures to be installed, the applicant for a plumbing permit shall furnish such plans and specifications with the application for a plumbing permit. Such plans shall be drawn to scale and all plans and specifications shall be in duplicate.

B. All information submitted with the application for a plumbing permit and in the plans and specifications shall be specific, and this chapter shall not be cited as whole or in part, nor shall the term “legal” or “equivalent” be used as a substitute for the specific information required. (Prior code § 33-1-33)

16.12.190 Applications—Timely action upon.

The director of codes administration shall act upon, or cause to be acted upon, an application for a plumbing permit, with plans and specifications as filed therewith or as such may be amended, without unreasonable or unnecessary delay. (Prior code § 33-1-34)

16.12.200 Applications—Examination by director.

The director of codes administration shall examine, or cause to be examined, each application for a plumbing permit and the plans and specifications submitted therewith, and shall determine by such examination whether the plumbing installation, plumbing system, device, equipment, fixtures, etc., as indicated and described, are in accordance with the provisions and requirements of this chapter and other pertinent laws and ordinances. (Prior code § 33-1-35)

16.12.210 Reviewed plans—Labeled—Copy at jobsite.

Each set of reviewed plans and specifications shall be properly marked “Reviewed,” with one set being returned to the applicant with the permit, and one set to be retained as a record in the office of the director of codes administration. A copy of the reviewed plans and specifications shall be kept on the job at all times during the progress of the work. (Ord. 95-1487 § 86 (part), 1995; prior code § 33-1-36)

16.12.220 Fee schedule—Fixture classifications.

A. No plumbing permit shall be held valid until the fees prescribed in this section shall have been paid, nor shall an amendment or change to an existing permit be approved until such additional fees as may be due shall have been paid.

B. Permit fees for the installation of plumbing systems, devices, equipment and fixtures, including but not limited to the installation of fixtures, sewer connections, septic tanks, hot water heaters, repairs and alterations to existing plumbing installations and systems, shall be as follows:

| | |
|--|---------|
| Minimum fee (each permit) | \$50.00 |
| *Plumbing fixtures (each fixture) | 6.00 |
| Each additional building drain | 20.00 |
| Sewer connection | 50.00 |
| Water service connection | 50.00 |
| Septic tank and disposal field | 50.00 |
| Repair or alteration to an existing septic tank or field | 20.00 |
| Hot water heater | 12.00 |

| | |
|------------------|-------|
| Yard water | 20.00 |
| Yard sewer | 20.00 |
| Reinspection fee | 30.00 |

* Each fixture outlet shall be counted as one fixture in figuring the total permit fee, whether or not the fixture is actually set at the time the plumbing system is installed.

C. The classifications listed below, among others, shall each be counted as one fixture:

Area drains;
Backflow preventers;
Baptisteries;
Bathtubs (with or without overhead shower);
Boiler blow-off tanks;
Combination sink and tray;
Commercial icemakers.
Dental lavatory;
Dental unit or cuspidor;
Diluting tanks and interceptors;
Dishwasher (fixed unit);
Disposal units (commercial);
Drinking fountains;
Floor drains;
Grease traps and interceptors;
Kitchen sinks;
Lavatory;
Pools, fountains and aquaria;
Roof drains;
Shower drains;
Slop sinks
Solar panels when connected to plumbing system;
Sump pumps;
Swimming pools;
Urinals;
Washers (clothes, domestic, fixed drains);
Washers (commercial, fixed drains);
Water closets;
Water tanks.

(Ord. BL2004-175 § 1, 2004; Ord. 92-118 § 10, 1992; Ord. 89-1001 § 3, 1989; Ord. 89-820 §§ 1, 2, 1989; prior code § 33-1-37)

16.12.230 Failure to obtain permit—Fees tripled—Exception.

In addition to any other penalty imposed for failure to obtain a permit, when work on any plumbing, plumbing installation or plumbing system requiring a permit is commenced prior to the issuance of the required permit, the permit fee for such work shall be tripled; provided, that the triple fee penalty shall not be applied when, in the opinion of the director of codes administration, an emer-

gency exists. (Ord. 91-1529 § 2, 1991; prior code § 33-1-38)

16.12.240 Fees—Refunds.

A. Application for a refund of fees paid for any unused permit issued under the provisions of this chapter shall be made on forms provided by the director of codes administration.

B. Refunds shall only be made for that portion of a fee exceeding fifty dollars. In no case shall any fee be refunded on any unused permit over six months old or when any inspection has been made, regardless of the fees paid. (Ord. 91-1529 § 3, 1991; prior code § 33-1-39)

16.12.250 Issuance.

Upon approval of the application for a plumbing permit and the plans and specifications submitted therewith, the director of codes administration shall issue or cause to be issued a permit therefor to the applicant. (Prior code § 33-1-40)

16.12.260 Permit denied.

In such instances where it has been determined that the application for a plumbing permit or the plans and specifications filed therewith do not conform to the requirements of this chapter or other pertinent laws and ordinances, a plumbing permit shall be refused. The plans and specifications shall be returned to the applicant with a statement setting forth the reasons for such refusal. (Prior code § 33-1-41)

16.12.270 Interpretation—Limit of authority.

A. The issuance of a plumbing permit shall be construed as the authority to proceed only with the work specified and approved, and shall not in any manner be construed as the authority to violate, cancel, alter, change or set aside any of the provisions of this chapter, nor to do or perform any work or make any installation not specifically covered by the approved plans and specifications upon which the permit was issued. The issuance of a plumbing permit shall not prevent nor prohibit the director of codes administration from thereafter requiring the correction of errors or omissions in the plans and specifications or in the plumbing installation or of violations of this chapter.

B. The plumbing contractor shall be responsible for notifying the plumbing inspector of any change in plans. (Prior code § 33-1-42)

16.12.280 Nontransferability.

Permits issued under this chapter are not transferable from one contractor, one job, site or location to another,

and any refunds shall be made in accordance with Section 16.12.240. This provision shall not prohibit the correction or change of addresses, location or contractor made through error on the application. (Ord. 98-1445 § 76, 1998)

16.12.290 Expiration—Extensions.

Any plumbing permit issued shall become invalid unless the work authorized by such permit shall have been commenced within six months after the date of issuance, or if the work so authorized is suspended or abandoned for a period of one year after the time the work is commenced. The director of codes administration may, for justifiable cause, grant one or more extensions of time for periods not exceeding ninety days each. (Prior code § 33-1-43)

16.12.295 Change in contractor—Reissuance of permit—Fees.

When a change in a contractor occurs before a job is completed, the contractor who obtains the permits, shall notify the codes department in writing. A new permit shall be taken out for the unfinished construction. The contractor that completes the construction shall pay a prorata permit fee based upon the unfinished construction; but in no case, less than the minimum permit fee. (Ord. 98-1445 § 77, 1998)

Article V. Inspections

16.12.300 Required when.

All new plumbing installations and plumbing systems and such portions of an existing plumbing system as may be affected by new plumbing installation or changes, for which a permit is required, shall be inspected to assure compliance with the requirements of this chapter and to assure that the installation and construction of the plumbing system is in accordance with the approved plans and specifications. (Prior code § 33-1-44)

16.12.310 Inspection test—Permittee's responsibility.

It shall be the responsibility of the person to whom a plumbing permit has been issued to assure that the plumbing installation made will stand the test prescribed before making a request of the department of codes administration for test and inspection. (Prior code § 33-1-46)

16.12.320 Notice to director that work is ready for inspection.

It shall be the duty of the person to whom a plumbing permit is issued to give reasonable advance notice to the department of codes administration when the plumbing

work for which a permit has been issued is ready for test and inspection. (Prior code § 33-1-45)

16.12.330 Materials and labor for tests.

The equipment, material, power and labor required for all plumbing inspections and tests shall be furnished by the permittee. (Prior code § 33-1-48)

16.12.340 Testing of plumbing and drainage systems required.

All piping of the plumbing system shall be tested with either water or air. After the plumbing fixtures have been set and their traps filled with water, the entire drainage system shall be submitted to a final test. The director of codes administration may require the removal of any cleanouts to ascertain that the pressure has reached all parts of the system. (Prior code § 33-1-49)

16.12.350 Testing—Procedure for water test.

A. The water test shall be applied to the drainage system in its entirety or in sections. If the test is applied to the entire system, all openings in the piping shall be tightly closed, except the highest opening and the system filled with water to the point of overflow. If the system is tested in sections, each opening shall be tightly plugged, except the highest openings in the section under test, and each section shall be filled with water. No section shall be tested with less than a ten-foot head of water.

B. In testing successive sections, the upper ten feet of the next preceding section shall be tested so that no joint or pipe in the system (except the uppermost ten feet of the system) shall have been subjected to a test of less than a ten foot head of water.

C. The water shall be kept in the system or that portion of the system under test for fifteen minutes prior to inspection.

D. For successful passage of this test, the system shall be tight at all joints. (Prior code § 33-1-50)

16.12.360 Testing—Procedure for air test.

A. When an air test is used, the test shall be made by attaching an air compressor or testing apparatus to any suitable opening after closing all other inlets and outlets to the system. Air is then forced into the system until there is a uniform gauge pressure of five pounds per square inch or sufficient pressure to balance a column of mercury ten inches in height.

B. To satisfactorily complete this test, the pressure shall be maintained for a period of fifteen minutes without the introduction of additional air. (Prior code § 33-1-51)

16.12.370 Testing—Final test—Additional tests.

A. The final test of the completed drainage and vent system shall be visual and performed in such a manner as to assure that the entire plumbing system meets the requirements of this chapter for such installation. When, in the opinion of the director of codes administration, acceptable performance of the plumbing installation or plumbing system is questionable, he may require such system to be subjected to a smoke or peppermint test.

B. When the smoke test is used, it shall be made by filling all traps with water and then introducing into the entire system a pungent, thick smoke produced by one or more smoke machines. When smoke appears at the stack openings they shall be closed and a pressure equivalent to a one-inch water column shall be built up and maintained for fifteen minutes before inspection.

C. When the peppermint test is used, two ounces of oil of peppermint shall be introduced for each line or stack.

D. For successful passage of this test, the system shall be tight at all joints. (Prior code § 33-1-52)

16.12.380 Testing of existing plumbing.

When there is reason to believe that the drainage system of any building has become defective, it shall be subjected to an inspection and test prior to approval for further use. (Prior code § 33-1-56)

16.12.390 Testing of interior leaders and downspouts.

Leaders or downspouts and branches within the building shall be tested by water or air as set forth in Sections 16.12.350 and 16.12.360, respectively. (Prior code § 33-1-54)

16.12.400 Testing water supply systems.

Upon completion of a section or of the entire water supply system, it shall be tested and proved tight under a water pressure not less than twenty-five pounds above the working pressure under which it is to be used. The water used for tests shall be obtained from a potable source of supply. (Prior code § 33-1-53)

16.12.410 Notice of rejection.

A. In the event of failure of a plumbing installation or plumbing system to pass the required tests and inspection, notice of such failure shall be given the permittee and a plumbing-rejected notice shall be placed in a conspicuous place within the building, pending a reinspection and testing.

B. It is unlawful for any person to remove a plumbing-rejected notice prior to satisfactory completion of the reinspection testing. (Prior code § 33-1-58)

16.12.420 Reinspection required—Fee.

When the plumbing installation does not pass the required inspections, the permittee shall be required to make the necessary changes and corrections and to submit the plumbing installation to reinspection within ten working days after rejection. In all instances where reinspections are deemed necessary, an additional fee of ten dollars shall be paid for each reinspection required. (Prior code § 33-1-47)

16.12.430 Notice of approval—When—Posted.

Upon satisfactory completion of the roughing-in inspection and testing of a plumbing installation or plumbing system, notice of approval of such installation shall be posted in a conspicuous place within the building. Such notice shall be dated and properly signed by the person making the inspection. (Prior code § 33-1-57)

16.12.440 Certificate of approval—Issuance.

Upon satisfactory completion and final test of the plumbing system, a certificate of approval may be issued by the director of codes administration, upon the request of the permittee or owner. (Prior code § 33-1-59)

16.12.450 Covering work prior to approval prohibited.

A. No plumbing, plumbing installation, plumbing system or part thereof shall be covered until it has been inspected, tested and approved, as required by this chapter.

B. When any plumbing, plumbing installation, plumbing system or part thereof has been covered prior to being inspected and tested, the director of codes administration shall require the same to be uncovered, in order that the necessary test may be performed. (Prior code § 33-1-55)

Chapter 16.16

GAS/MECHANICAL REGULATIONS

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Article I. General Regulations

16.16.010 Intent—Remedial.

This chapter is declared to be remedial and shall be construed to secure the beneficial interests and purposes thereof, which are health, sanitation, general public safety and welfare, by regulation of all heating, ventilating, air conditioning, refrigeration, and gas installations, systems, alterations, repairs, and maintenance. (Ord. 90-1253 § 1 (part), 1990; prior code § 19-1-1)

16.16.020 Scope.

A. The provisions of this code shall apply to the installation of consumer's gas piping, gas appliances, and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances, and the installation and replacement of residential and commercial gas appliances and related accessories.

B. The provisions of this code shall also apply to the installation of mechanical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators, radon gas reduction systems, and other energy-related systems.

C. Nothing in this chapter shall be construed to prohibit, and no permits shall be required for, normal maintenance and repairs to an existing gas and/or mechanical system.

D. Nothing in this chapter shall apply to gas piping, meters, gas pressure regulators, and other appurtenances used by the serving gas supplier in distribution of gas, other than undiluted LP gas. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-2)

16.16.030 Proper maintenance required—Owner's responsibility.

A. All mechanical, heating, ventilating, air conditioning and refrigeration, both new and existing, and all parts thereof and appurtenances thereto, shall be installed and maintained as required by this chapter, in a safe and clean condition.

B. All devices, equipment and safeguards required by this chapter shall be installed and properly maintained in a safe and clean manner and in good working order. The owner, or his designated agent, shall be held responsible for the proper maintenance of all gas/mechanical installations and gas/mechanical systems. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-3)

16.16.040 Alteration or repair to existing system—Compliance required—Exception.

Alterations, repairs or replacement work may be made to any existing gas system or mechanical systems without requiring the system to comply with all the requirements of this code provided that the alteration, repair or replacement work conforms to the requirements of this code for new construction. The gas/mechanical official shall determine the extent to which the existing system shall be made to conform to the requirements of this code for new con-

struction. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-4)

16.16.050 Change in occupancy classification—Conformance required.

If the occupancy classification of an existing tenant space or building is changed, the gas/mechanical system shall be made to conform to the latest adopted gas/mechanical code. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-5)

16.16.060 Variances for existing buildings—Authority of director.

A. To promote conservation and rehabilitation of existing buildings, alterations, repairs, or change of occupancy and use may be made to existing buildings where such rehabilitation is made to conform to the intent of this code as established by the director. The director may exercise discretionary authority, subject to appeal, to vary or modify in whole or in part the application of any provision of this code where compliance with such provision would create practical difficulty or undue hardship.

B. Such variance or modification shall be consistent with the intent of this code, which is to achieve acceptable levels of safety for the general public. The director shall require documented justification for any request for such variance or modification from any code provision to be prepared in written form, supported by technical or other data deemed necessary and that such proposal become a part of the permanent records of the department of codes administration. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-6)

16.16.070 Homeowner permits—Regulations.

Nothing in this chapter shall prevent a resident homeowner from installing or maintaining a mechanical system within his/her own property boundaries, provided such work is done by himself/herself. Such privilege does not convey the right to violate any of the provisions of this chapter, nor is it to be construed as exempting any such homeowner from obtaining a permit and paying the required fees therefor.

The director of codes administration or his duly authorized representative shall be authorized to issue "homeowner permits" to property owners desiring to make mechanical repairs and/or additions to their property or improvements thereto. Homeowner permits shall be issued only if the applicant meets the following conditions:

1. The mechanical repairs and/or additions shall be made to the applicants principle dwelling. This may also include one side or a duplex dwelling unit.

2. For construction of a new single-family dwelling, the homeowner may obtain one gas/mechanical permit every two years for a new mechanical installation.

3. The repairs, additions and/or new dwelling shall be of such nature that a person of average intelligence could make the repairs and/or additions without the assistance of a gas/mechanical contractor.

4. The department of codes administration may void a homeowner's permit if it is determined that the installation is beyond the capabilities of the homeowner and the work being done does not comply with this chapter.

5. The homeowner must do the work himself without the help of a gas/mechanical contractor or certificate holder.

6. Gas piping and gas connections to an appliance or equipment shall be only installed by a licensed master mechanical, HVAC&R or gas and appliance contractor. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-7)

16.16.080 Enforcement—Authority of director—Approval of promulgated regulations required.

A. The director of codes administration shall have the power and his duty shall be to enforce, in the manner herein provided, all laws, ordinances, rules and regulations relating to gas and mechanical, gas and mechanical installations and gas and mechanical systems as set forth in this chapter and any amendments thereto, and to promulgate such rules and regulations as may be deemed necessary for the effective enforcement of this chapter.

B. Such rules and regulations as may be promulgated by the director pursuant to this section shall be approved by the board of gas/mechanical examiners and appeals, shall be approved by the department of law as to form and legality and shall become effective upon written approval of the mayor. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-8)

16.16.090 Inspection records—Open to public.

The director of codes administration shall keep or cause to be kept a record of the business activities of the gas/mechanical inspection section. Such records shall be open for public inspection during the normal office hours of the department of codes administration. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-9)

16.16.100 Right of entry.

The director of codes administration shall enforce the provisions of this chapter, and he or his duly authorized representative may enter, with the consent of the owner or occupant or with a valid search warrant, and upon presentation of proper identification, any building, structure or premises within the metropolitan government area to per-

form any duty or responsibility imposed upon him by this chapter. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-10)

16.16.110 Stop work orders—Service—Content—Emergency procedure.

A. When it is found that any gas/mechanical installation is being made or that any gas/mechanical devices, equipment or fixtures required by this chapter are being installed contrary to the provisions of this chapter, or that such gas/mechanical installations, devices, equipment or fixtures installed are dangerous or unsafe, the director of codes administration shall issue or cause to be issued a stop work order.

B. Such stop work order shall be in writing and shall be served upon the owner of such property, his duly authorized agent or the person responsible for such work. A copy of the stop work order shall be posted in a conspicuous place upon the premises and it is unlawful for any person to remove such order or to perform any work on the gas or mechanical installation, device, equipment or fixtures so long as the stop work order shall remain in effect.

C. The stop work order shall set forth the reasons why such work is being stopped, the provisions of this chapter being violated and the conditions under which the order may be removed and the work resumed.

D. When, in the opinion of the director of codes administration, an emergency exists, a written stop work order shall not be required, and in such instances, oral notice to the owner, his agent or the person in charge of the work, by the director of codes administration or his duly authorized representatives, shall have the same force and effect as a written order. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-11)

16.16.120 Stop work order—Appeal.

Upon written notice of an appeal to the board of gas/mechanical examiners and appeals, involving a work stoppage under the circumstances as set forth in Section 16.16.110, the board may meet in special session and shall take such action as may be deemed necessary to assure that the intent and purpose of this chapter are complied with. In each such instance, the action of the board shall be final, subject to such relief as the aggrieved party may have at law or in equity. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-11.1)

16.16.130 Revocation of permit—Fees not refunded.

The director of codes administration may revoke a gas/mechanical permit or approval issued under the provisions of this chapter in the event there has been any false

statement or wilful misrepresentations on which the permit or approval was based. In all such instances, where a permit has been revoked, the permit fee shall not be refunded nor applied to any subsequent application for a permit. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-12)

16.16.140 Hazardous installations—Abatement.

All gas/mechanical installations or gas/mechanical systems which are unsafe, or which are dangerous to human life, or which, in relation to existing or contemplated use, constitute a hazard to the health, safety or general welfare of the community, by the reason of improper installation, inadequate maintenance or abandonment, are declared to be illegal and shall be abated by repair, replacement or removal. Any person making unsafe, hazardous, etc. installation shall be brought before the board for possible disciplinary action. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-13)

16.16.150 Additional requirements—Determined by director.

Any requirement deemed necessary for the safety, strength or stability of an existing or proposed gas/mechanical installation or gas/mechanical system or for the health, safety or welfare of the occupants of any building or structure, not specifically covered by the provisions of this chapter, shall be determined by the director of codes administration, subject to an appeal to the board of gas/mechanical examiners and appeals. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-14)

16.16.160 Conflicts with other ordinances.

A. In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, housing, building, fire, safety, plumbing or health ordinance or code of the metropolitan government, existing on January 1, 1966, the provision which establishes the higher standard for the promotion and protection of the health and safety of the public shall prevail.

B. Where a provision of this chapter is found to be in conflict with a provision of any other ordinance or code of the metropolitan government, existing on January 1, 1966, which establishes a lower standard for the promotion and protection of the health and safety of the public, the provisions of this chapter shall be deemed to prevail, and such other ordinances and codes are declared to be repealed to the extent that they may be found in conflict with the gas/mechanical code. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-15)

16.16.170 Alternate methods or materials—Approval required.

The provisions of this code are not intended to prevent the use of any material or method of construction not specifically prescribed by this code, provided any such alternate has been approved by the gas/mechanical official. The gas/mechanical official may approve any such alternate, provided he finds that the alternate for the purpose intended is at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability, and safety. The gas/mechanical official shall require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternate. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-16)

Article II. Gas and Mechanical Codes

16.16.180 Adopted by reference—Scope.

A. The following sections and appendices are adopted and incorporated into this chapter as the technical section of the gas/mechanical code of the metropolitan government, by reference, as fully as though copied into this chapter, as have been or may be hereafter amended herein.

B. The provisions of this code shall apply to the installation, alteration, repair, and replacement of mechanical systems, equipment, appliances, fixtures, fittings and/or appurtenances for heating, ventilation, air conditioning, refrigeration, incineration, and other energy consuming systems. This code shall also apply to the installation of gas piping, gas appliances, and related accessories, extending from the point of delivery to the appliance for connected equipment.

C. For the purpose of this section:

A “system” means the total connected load of all appliances and equipment installed by a contractor in a building or structure.

A “building” shall be defined by the latest adopted edition of the Standard Building Code. (Ord. 90-1253 § 1 (part), 1990: prior code §§ 19-1-40, 19-1-40.1)

16.16.190 Certain supplemental codes and standards adopted by reference.

A. The 2000 Edition of the International Residential Code for One- and Two-Family Dwellings, Chapter 12 through and including Chapter 24 and Chapter 43;

B. The 2000 Edition of the Standard Gas Code, Sections 201 through Chapter 7 inclusive and Appendixes A, B, C, and D;

C. The 1998 Edition of the Standard for the Storage and Handling of Liquefied Petroleum Gases (NFPA 58),

Sections 1-1 through 9-5.6 and Chapter 12, inclusive with Appendixes A, B, C, D, E, F, G, H and I:

D. The 2000 Edition of the Standard Mechanical Code, Sections 201 through Chapter 15 inclusive with Appendix A. (Ord. BL2002-1142 § 18, 2002; Ord. BL2001 § 3, 2001; Ord. 98-1445 § 51, 1998; Ord. 96-562 § 28, 1996; Ord. 95-1487 §§ 52, 53, 1995; Ord. 92-118 §§ 11, 12, 1992; Ord. 90-1253 § 1 (part), 1990; prior code § 19-1-40.2—19-1-40.6)

16.16.230 Amendments to the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings.

The following amendments, deletions, or additions to the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings are hereby adopted by reference as fully as though copied into said Dwelling Code and thereby made a part of the Dwelling Code.

A. Chapter 12 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new Section M1203:

SECTION M1203 AUTHORITY TO DISCONNECT UTILITIES IN EMERGENCIES

M1203 Authority. The building official shall have the authority to order disconnected a fuel supply or appliance that does not conform to this code; the building official shall also have the authority to order disconnected a gas utility service, or energy supplies to a building, structure, premises, or equipment in case of emergency when necessary to eliminate an immediate hazard to life or property. A notice shall be attached to the energy supply or appliances stating the reason for disconnection. Such notices shall not be removed, nor shall the system or appliance be reconnected, until authorized by the building official.

B. Section M1408.3 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new Section M1408.3.1:

M1408.3.1 Prohibited locations. A vented floor furnace shall not be located under a stairway. Unlisted non-vented appliances shall not be installed in bathrooms or bedrooms.

C. Section M1409.2 of the 2000 Edition of the International Residential Code for One- and Two-Family

Dwellings is amended by adding the following new Section M1409.2.1:

M1409.2.1 Prohibited locations. A vented wall furnace shall not be located under a stairway. Unlisted non-vented appliances shall not be installed in bathrooms or bedrooms.

D. Section M1410.2 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new Section M1410.2.1:

M1410.2.1 Prohibited locations. A vented room heater shall not be located under a stairway. Unlisted non-vented appliances shall not be installed in bathrooms or bedrooms.

E. Section M1601.3.4 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new Section M1601.3.4(4):

4. All ductwork installed in non-conditioned and not completely conditioned areas such as crawl, attic, and the floor/ceiling assembly shall be insulated.

F. Sections M1703.3, M1703.3.1 and Figures 1703.3(1), 1703.3(2), and 1703.3(3) of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting the Sections M1703.3, M1703.3.1 and Figures 1703.3(1), 1703.3(2), and 1703.3(3).

G. Section G2407.11.2 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Sections G2407.11.2

H. Section G2414.6 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding a new Section G2414.6.1

G2414.6.1 Buried building piping. Piping shall not be installed in such a way as to be in contact with the ground or fill under a building or building floor slab. When the administrative authority determines that it is not practical to avoid the installation of building piping that is buried or laid under a floor slab, the gas piping shall be encased in wrought iron, plastic schedule 40 pipe or steel pipe. The casing shall extend into a normally usable and accessible portion of the building. At the point where the casing terminates in the building, the space between the casing and the gas piping shall be tightly and permanently sealed with materials such as

commercial casing seals, plastic, foams, cement, tars, or asphalt materials. The casing shall extend at least 4 inches (102 mm) outside the building and be vented and installed in a way as to prohibit the entrance of water. The entire installation shall be such that the gas piping can be readily replaced without damage to the building.

I. Section G2416.1.1 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section G2416.1.1 and substituting the following:

G2416.1.1 Inspections. On completion of the installation, alteration, repair or replacement of gas piping, and prior to the use thereof, the building official shall be notified that the gas piping is ready for inspection.

G2416.1.1.1 Accessibility for inspection. Excavations required for the installation of underground piping shall be kept open until such time as the piping has been inspected and approved. If piping is covered or concealed before approval, it shall be exposed on the direction of the building official.

G2416.1.1.2 Required inspections. The building Official shall make the following inspections and shall either approve that portion of the work as completed, or shall notify the permit holder wherein the same fails to comply with this code.

G2416.1.1.3 Rough fuel-gas piping inspection. This inspection shall be made after gas piping authorized by the permit has been installed and before such piping has been covered or concealed or a fixture or appliance has been attached thereto. This inspection shall include a determination that the gas piping size, material, and installation meet the requirements of this chapter. It shall also include an air pressure test, at which time the gas piping shall stand a pressure of not less than 10 pounds per square inch gauge (68.9 kPa gauge) and shall hold this pressure for a length of time of not less than twenty (20) minutes, with no perceptible drop in pressure. The test shall be made using air pressure only, and be verified in writing by the gas/mechanical contractor on forms authorized by the Department of Codes Administration witnessed and signed. Retest or additional certification, in special situations may be required by the Director of Codes Administration or by his/her duly authorized representative. Necessary apparatus for conducting test shall be furnished by the permit holder.

G2416.1.1.4 Final inspection. This inspection shall be made after piping authorized by the permit has been installed and after all portions thereof which are to be covered or concealed are so concealed and after all fixtures, appliances, and shutoff valves have been attached thereto.

G2416.1.1.5 Other inspections. In cases where the work authorized by the permit consists of a minor installation of additional piping to piping already connected to a gas meter, the foregoing inspection may be waived at the discretion of the building official. The building official shall make such inspections as deemed advisable in order to assure that the work has been performed in accordance with the intent of this code.

J. Section G2416.4.1 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section G2416.4.1 and substituting the following:

G2416.4.1 Air Pressure Test. This inspection shall include an air pressure test, at which time the gas piping shall stand a pressure of not less than ten (10) pounds, per square inch gauge pressure and shall hold this pressure for a length of time of not less than twenty (20) minutes, with no perceptible drop in pressure. The test shall be made using air pressure only, and verified in writing by the gas/mechanical contractor on forms authorized by the Department of Codes Administration witnessed and signed. Retest or additional certification, in special situations may be required by the Director of Codes Administration or by his/her duly authorized representative. The necessary apparatus for conducting the test shall be furnished by the permit holder.

K. Section G2416.4.2 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section G2416.4.2 and substituting the following:

G2416.4.2 Air Pressure Test 2 psi and greater. Gas piping 2 psi or higher pressure must stand a pressure of at least 20 psi, but never less than ten (10) times the maximum pressure to which the piping will be subjected in operation, for a period of not less than twenty (20) minutes without showing any drop in pressure."

L. Section G2431.3 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section G2431.3 and substituting the following:

G2431.3 Prohibited locations. A decorative gas appliance shall not be located under a stairway. Decorative appliances for installation in fireplaces and unlisted non-vented decorative appliances shall not be installed in bathrooms or bedrooms and where prohibited by Section G2406.2.

M. Section G2433 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new Section G2433.3:

G2433.3 Prohibited locations. A vented decorative gas appliance shall not be located under a stairway. Unlisted non-vented decorative appliances shall not be installed in bathrooms or bedrooms and where prohibited by Section G2406.2.

(Ord. BL 2001-703 § 4, 2001: Ord. 98-1445 §§ 52—57, 1998; Ord. 96-562 §§ 29—33, 1996: Ord. 95-1487 §§ 54—58, 1995; Ord. 92-118 § 14, 1992; Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-41.2)

16.16.240 Local amendments to Standard Gas Code.

The following amendments, deletions, or additions to the 2000 Edition of the Standard Gas Code are adopted by reference, as fully as though copied into such Gas Code, and thereby made a part of the Gas Code.

A. Section 201 of the 2000 Edition of the Standard Gas Code is hereby amended by adding a new section 201.5 and substituting the following:

201.5 Interchangeability with the Standard Codes. The International Building Code shall be construed to mean the Standard Building Code. The International Property Maintenance Code shall be construed to mean the Property Standards Code of the Metropolitan Government. The International Mechanical Code shall be construed to mean the Standard Mechanical Code. The International Fuel Gas Code shall be construed to mean the Standard Gas Code. The International Plumbing Code shall be construed to mean the Standard Plumbing Code. The International Private Sewage Disposal Code shall be construed to mean the Subsurface Sewage Disposal Systems Code. The ICC Electrical Code shall be construed to mean the National Electrical Code.

B. Section 202 of the 2000 Edition of the Standard Gas Code is hereby amended by adding the following new definition as follows:

ADMINISTRATIVE AUTHORITY—shall mean the Director of the Metropolitan Department of Codes Administration, his deputy or duly authorized representative.

GAS OFFICIAL—shall mean the Director of the Metropolitan Department of Codes Administration, his deputy or duly authorized representative.

C. Section 202 of the 2000 Edition of the Standard Gas Code is hereby amended by deleting the definition of Code Official and substituting the following:

CODE OFFICIAL—shall mean the Director of the Metropolitan Department of Codes Administration, his deputy or duly authorized representative.

D. Section 304.11.2 and Figure 304.11(4) of the 2000 Edition of the Standard Gas Code are hereby amended by deleting the section and figure in their entirety.

E. Section 402.5 of the 2000 Edition of the Standard Gas Code is hereby amended by deleting Section 402.5 and substituting the following:

402.5 Maximum design operating pressure. The maximum design operating pressure for piping systems located inside buildings shall not exceed 5 psig (34 kPa gauge) unless approved by the authority having jurisdiction and one or more of the following conditions are met:

1. The piping system may be threaded. Piping system over 5 psig shall be welded.

2. The piping is located in a ventilated chase or otherwise enclosed for protection against accidental gas accumulation.

3. The piping is located inside buildings or separate areas of buildings used exclusively for:

3.1 Industrial processing or heating,

3.2 Research,

3.3 Warehousing, or

3.4 Boiler or mechanical equipment rooms.

4. The piping is a temporary installation for buildings under construction.

F. Section 404.1 of the 2000 Edition of the Standard Gas Code is hereby amended by deleting Section 404.1 and substituting the following:

404.1 Prohibited locations. Piping shall not be run or installed in or through a circulating air duct, clothes chute, chimney or gas vent, ventilating duct, dumb-waiter, or elevator shaft. Where the gas official finds that it is impossible to avoid installing gas piping through or in building duct system for heat, ventilating or air conditioning system, the gas pipe may be installed in a casing of noncombustible rigid gas-tight material. Such casing shall comply with Section 311.

404.1.2 Gas piping shall be prohibited in plenum spaces unless such spaces are accessible. This provision shall not apply to gas piping in non plenum concealed locations. Shut-off valves and unions for gas piping shall be prohibited in all concealed locations and all spaces used as plenums.

G. Section 404.3 of the 2000 Edition of the Standard Gas Code is hereby amended by deleting Section 404.3 and substituting the following:

404.3 Piping in concealed locations. Portions of a piping system installed in concealed locations shall not have unions, tubing fittings, right and left couplings, bushings, compression couplings and swing joints made by combinations of fittings.

EXCEPTIONS:

1. Tubing joined by brazing.
2. Fittings listed for use in concealed locations.

404.3.1. Tubing in Partitions. This provision shall not apply to tubing which pierces walls, floors, or partitions. Tubing shall not be run horizontally inside hollow walls or partitions unless protected along its full concealed length against physical damage. Tubing may be run vertically inside hollow walls or partitions without protection along its entire concealed length provided and the tubing is not rigidly secured.

H. Section 404.8 of the 2000 Edition of the Standard Gas Code is hereby amended by adding a new section 404.8.3 as follows:

404.8.3. Cathodic protection shall be required on metallic gas piping installed underground. The following chart may be used to determine requirement for anodes as to size and number required:

**Coated Pipe
Anode Spacing In Feet**

| Anode Weight | 3/4" | 1" | 2" | 3" |
|---------------------|-------------|-----------|-----------|-----------|
| 1# | 809' | 643' | 352' | 238' |
| 5# | 1079' | 857' | 470' | 317' |
| 17# | 1798' | 1428' | 783' | 528' |

Exception: Coated and wrapped metallic gas piping run underground that does not exceed thirty (30) feet in length shall not require additional cathodic protection.

I. Section 404.9 of the 2000 Edition of the Standard Gas Code is hereby amended by deleting Section 404.9 and substituting the following:

404.9. Minimum burial depth and clearances. Underground piping systems shall be installed a minimum depth of 18 inches (458 mm) below grade, except as provided for in 404.9.1 and 404.9.3

404.9.1 Individual outside appliances. Individual lines to outside lights, grills or other appliances shall be installed a minimum of 8 inches (203 mm) below finished grade, provided that such installation is approved and is installed in locations not susceptible to physical damage.

404.9.2. Clearances. No gas piping shall be placed underground closer than eight (8) inches from a water pipe, sewer line, or any other utility service line. Underground gas piping shall be installed with enough clearance from any other underground structure to avoid contact therewith, to allow proper maintenance, and to protect against damage that might result from proximity to other structures. In addition, underground plastic piping shall be installed with sufficient clearance, or shall be insulated, from a source of heat so as to prevent the heat from impairing the serviceability of the pipe.

404.9.3. Protection Against Damage. Where soil conditions are unstable and settling of piping or foundation walls or heavy vehicular traffic may occur, adequate measures shall be provided to prevent excessive stressing of the piping. Piping shall be buried a sufficient depth or covered in a manner so as to protect the piping from physical damage.

404.9.4. Cover Requirements. Underground piping systems shall be installed with at least eighteen (18) inches of cover. The cover may be reduced to twelve (12) inches if external damage to the pipe is not likely to re-

sult. If minimum of twelve (12) inches of cover cannot be maintained, the pipe shall be installed in conduit or bridged (shielded).

404.9.5. Separate Ditch for Gas Piping. The laying or installing of gas piping in the same ditch with water, sewer, drainage pipe or any other utility service line is prohibited except when approved by the administrative authority.

J. Section 404.10 of the 2000 Edition of the Standard Gas Code is hereby amended by deleting Section 404.10 and substituting the following:

404.10 Trenches. The trench shall be graded so that the pipe has a firm, substantially continuous bearing on the bottom of the trench. Where flooding of the trench is done to consolidate the backfill, care shall be exercised to see that the pipe is not floated from its firm bearing on the trench bottom.

K. Section 404.14.1 of the 2000 Edition of the Standard Gas Code is hereby amended by adding a new Section 404.14.1 Exception 3 as follows:

3. Plastic piping shall not be used for consumer's gas piping when operating pressures are in excess of 2 psi, unless approved by the Director of Codes Administration or his duly authorized representative.

L. Section 406.2 of the 2000 Edition of the Standard Gas Code is hereby amended by deleting Section 406.2 and substituting the following:

406.2 Test medium. The test medium shall be air, nitrogen, or carbon dioxide or an inert gas. Oxygen shall not be used. Fuel gas may be used in piping systems operating at pressures of one half (1/2) pound per square inch or less.

M. Sections 406.4.1 and 406.4.2 of the 2000 Edition of the Standard Gas Code are hereby amended by deleting Sections 406.4.1 and 406.4.2 and substituting the following:

406.4.1. Method of Testing. Low pressure (not in excess of 0.5 psi) gas piping shall withstand a pressure of at least 10.0 psi for a period of not less than twenty (20) minutes without showing any drop in pressure. For 2 psi or higher pressure piping must stand a pressure of at least 20 psi, but never less than ten (10) times the maximum pressure to which the piping will be sub-

jected in operation, for a period of not less than twenty (20) minutes without showing any drop in pressure. An overnight test of larger piping systems may be required. The test shall be verified in writing on forms authorized by the Department of Codes Administration witnessed and signed. Retest or additional certification, in special situations, may be required by the Director of Codes Administration or by his/her duly authorized representative. Necessary apparatus for conducting the test shall be furnished by the permit holder.

N. Section 410.1 of the 2000 Edition of the Standard Gas Code is hereby amended by deleting Section 410.1 and substituting the following:

410.1 Pressure regulators. A line pressure regulator shall be installed where the appliance is designed to operate at a lower pressure than the supply pressure. Access shall be provided to pressure regulators. Pressure regulators shall be protected from physical damage. Regulators installed on the exterior of the building shall be approved for outdoor installation.

410.1.1. Shutoff value. An accessible gas shutoff valve shall be provided upstream of each gas pressure regulator. Where two gas pressure regulators are installed in series in a single gas line, a manual valve is not required at the second regulator.

410.1.2 Venting of Pressure Regulators. A vent line(s) from a gas appliance pressure regulator and a bleed line(s) from a diaphragm type valve shall not be connected to a common manifold terminating in a combustion chamber. Vent lines shall not terminate in positive pressure type combustion chambers.

O. Chapter 4 of the 2000 Edition of the Standard Gas Code is hereby amended by adding a new Section 415 as follows:

SECTION 416 2# PSI PIPING SYSTEM.

416.1 General. 2 psi gas piping systems designed in accordance with this section and other requirements of this code are intended for use where the building service regulator has been set to deliver gas at 2 psi. Piping systems shall be designed to allow a maximum pressure drop of one and one half (1 1/2) psi between the meter and the regulator that reduces the pressure to seven (7) inch w.c. Piping systems shall be further designed to allow up to one (1) inch w.c. pressure drop

between the above first cut regulator and the appliance or the appliance regulator if used.

416.2 Gas Piping Materials. All piping shall be metallic material only, and comply with 403. Piping installed for 2 psi pressure shall be (1) type L copper tubing, (2) refrigeration service tubing having a wall thickness of not less than .030", (3) corrugated stainless steel conduit, (4) iron pipe. All piping and tubing shall be sized so as to not exceed the capacities shown on tables 1003A, 1003B, or 1003C. Iron pipe already in service may be retained. Aluminum tubing will not be installed or used for this service. All horizontal tubing shall be supported at approximately four (4) foot intervals.

416.3 Marking. All piping in the 2 psi portion of the system shall be marked at the beginning, all ends with a metal tag stating "2 psi." All such tubing or piping must also be marked at intervals not to exceed six (6) feet with approved means of identification designating 2 psi gas pressure.

416.4 Piping in Partitions. When copper tubing is installed in a hollow partition in a new piping installation, a metallic sleeve, or equivalent means, shall be used to protect the tubing where it passes through a wood plate or other structural member of the wall. The sleeve, if used, shall extend at least four (4) inches on either side of the structural member in the partition. Iron pipe may be used for the sleeve. The ends must be reamed to avoid sharp edges which may come in contact with copper tubing. Tubing in the partition shall have some slack. Concealed tubing joints are prohibited.

416.5 General Piping. All fuel lines from the meter shall pass through the foundation with iron pipe, then a pipe to flare adapter may be installed for the copper tubing. In such case that the piping system cannot pass through the foundation, iron pipe will run from the meter to the outside wall of structure and attach with suitable pipe straps then adapt to copper tubing. Installation procedures must guard against dirt, tubing cutting chips, or other material entering the fuel line. Blow out lines before connecting and testing.

416.6 Joints and Fittings, Tubing. All joints and fittings in 2 psi tubing shall be made with standard SAE heavy duty short shoulder flare fittings having a forty-five (45) degree flare. All joints and fittings in 2 psi corrugated stainless steel conduit shall be made with approved fitting design for that system. Brazed or silver soldered joints made with an alloy having a melting

temperature in excess of 1000 degrees fahrenheit are permitted. Soft solder joints are not permitted

All joints in existing copper tubing must be inspected and tested before being used for 2 psi service. All soft solder joints will be replaced with a flare fitting or with a silver solder joint. All bends should be smooth without any binds in tubing. Bending springs or tubing benders should be used.

416.7 MP Regulators. MP pressure regulators installed in the 2 psi portions of the piping shall comply with the following provisions:

416.7.1. The MP regulator shall comply with Sections 402.1 and 402.13 and shall be stated by its manufacturer as being suitable for the inlet and outlet gas pressures for which it is to be used.

416.7.2. The MP regulator shall maintain a reduced outlet pressure under lockup (no flow) conditions and shall be so installed on the piping system that they cannot be concealed by building construction.

416.7.3. The capacity of the MP regulator, determined by published ratings of its manufacturer, shall be adequate to supply the appliances served by it.

416.7.4. The MP pressure regulator shall be accessible for servicing and may be located either indoors or outdoors. When located indoors, the regulator shall be vented to outdoors or equipped with a vent limiting device, in either case complying with Section 410.3.

416.7.5. The service regulator shall be set to deliver 2 psi, with flow of 30 CFH, after which the adjusting cap shall be sealed with a copper wire and lead seal. The regulator will be marked with a red cap and a metal tag stating 2 psi attached. The gas meter will be installed with a Red index indicating 2 psi system.

416.8 The regulator which reduces the pressure from 2 psi to seven (7) inch w.c. shall be located as close as practical to the appliance which it serves. This regulator must be installed where it cannot be concealed by building construction. The 2 psi to seven (7) inch w.c. regulator must be vented to the outside atmosphere or must be equipped with a vent limiter device. When installed for one appliance only, the preferred location of the regulator and its shut off cock is above the floor level and immediately adjacent to the appliance it serves.

416.9 Appliance regulators, when used, may be installed on or adjacent to the appliance manifold. Appliance regulators are not required on manually operated room heaters, ranges or similar appliances not equipped with a pilot. A pipe nipple at least six (6) inches long, or equivalent tubing, must be installed between the 2 psi to seven (7) inch w.c. regulator and the appliance regulator. Existing appliance regulator shall be retained on any appliance, unless defective.

416.10 Manual Shutoff Valve. Where there is more than one MP regulator in the complete piping system served by one meter, a listed shutoff valve shall be installed immediately ahead of each MP regulator. A listed shutoff valve shall be installed ahead of each 2 psi to seven (7) inch w.c. regulator. Individual runs of tubing may be made to each appliance from a manifold. The cocks may be at the manifold, but they must be easily accessible, and identified as to the appliance served.

P. Section 502 of the 2000 Edition of the Standard Gas Code is hereby amended by adding a new Section 502.7 as follows:

502.7 Marking.

502.7.1 In those localities where solid and liquid fuels are used extensively, gas vents shall be plainly and permanently identified by a label attached to the wall or ceiling at a point where the vent connector enters the gas vent.

502.7.2 The label shall read: This gas vent is for appliances which burn gas. Do not connect to solid or liquid fuel-burning appliances or incinerators.

502.7.3 The authority having jurisdiction shall determine whether its area constitutes such a locality.

Q. Section 503.1 of the 2000 Edition of the Standard Gas Code is hereby amended by adding a new Section 503.1.1 as follows:

503.1.1 Equipment Not Required to be Vented.

- a. Listed ranges.
- b. Built-in domestic cooking units listed and marked for optional venting.
- c. Listed hot plates and listed laundry stoves.

d. Listed Infrared Radiant heaters (see Section 516.1.1).

e. A single listed booster type (automatic instantaneous) water heater, when designed and used solely for the sanitizing rinse requirements of a National Sanitation Foundation Class 1, 2, or 3 dishwashing machine, provided that the input is limited to 50,000 Btu per hour, the storage capacity is limited to 12.5 gallons, and the heater is installed, with the draft hood in place and unaltered, in a commercial kitchen having a mechanical exhaust system. When installed in this manner, the draft hood outlet shall not be less than thirty-six (36) inches vertically and six (6) inches horizontally from any surface other than the heater.

f. Listed refrigerators.

g. Counter appliances.

h. Room heaters listed for unvented use shall not be installed in bathrooms or bedrooms and in institutions such as homes for the aged, sanitariums, convalescent homes, orphanages, etc.

i. Direct gas-fired make-up air heaters.

j. Other equipment listed for unvented use and not provided with flue collars.

k. Specialized equipment of limited input such as laboratory burners or gas lights.

503.1.2. When any or all of this equipment is installed so the aggregate input rating exceeds 20 Btu per hour per cubic foot of room or space in which it is installed, one or more shall be provided with venting systems or other approved means for removing the vent gases to the outside atmosphere so the aggregate input rating of the remaining unvented equipment does not exceed the 20 Btu per hour per cubic foot figure. When the room or space in which the equipment is installed is directly connected to another room or space by a doorway, archway, or other opening of comparable size which cannot be closed, the volume of such adjacent room or space may be included in the calculations.

R. Section 602 of the 2000 Edition of the Standard Gas Code is hereby amended by adding the following new Section 602.4:

602.4 Installations requirements. A decorative appliance for installation in a vented fireplace shall be installed only in a vented fireplace having a working chimney flue and constructed of noncombustible materials. These appliances shall not be thermostatically controlled.

1. A listed decorative appliance for installation in a vented fireplace shall be installed in accordance with its listing and the manufacturer's instructions.

2. An unlisted decorative appliance for installation in a vented fireplace shall be installed in a fireplace having a permanent free opening, based on appliance input rating and chimney height, equal to or greater than that specified in Table 632.1.

S. Section 623.1.1 of the 2000 Edition of the Standard Gas Code is hereby amended by deleting Section 623.1.1 and substituting the following:

623.1.1 Installation requirement. Water heaters other than the direct vent type shall be located as close as practicable to the chimney or gas vent. They should be so located as to provide short runs of water piping to the water heaters.

623.1.2 All gas water heaters installed in attics, on combustible floors or in remote locations shall rest in pans of minimum 0.0276-inch (24 ga.) galvanized sheet steel or equivalent with minimum depth of two (2) inches and shall have a minimum clearance from the water heater of two (2) inches on all sides: the pan shall be a sufficient size to receive all drippings or condensation from such water heaters. All drain pans shall have a minimum one (1) inch drain. No plastic pans will be permitted (See Section 504.7 of the Standard Plumbing Code for other safety pan requirements).

Exception: Water heaters shall not be located in unheated and un-insulated spaces except in unheated basements and garages.

623.1.3. Single-faucet automatic instantaneous water heaters. In addition to the above, shall not be installed in kitchen sections of light housekeeping rooms or rooms used by transients.

T. The 2000 Edition of the Standard Gas Code is hereby amended by adding the following new Appendix E:

Appendix E Suggested Method for Checking for Leakage.

E1. Use of Lights. Artificial illumination used in connection with a search for gas leakage shall be restricted to battery-operated flashlights (preferably of the safety type) or approved safety lamps. In searching for leaks, electric switches should not be operated. If electric lights are already turned on, they should not be turned off.

E1.1 Checking for Leakage Using the Gas Meter. Immediately prior to the test it should be determined that the meter is in operating condition and has not been bypassed. Checking for leakage can be done by carefully watching the test dial of the meter to determine whether gas is passing through the meter. To assist in observing any movement of the test hand, wet a small piece of paper and paste its edge directly over the center line of the hand as soon as the gas is turned on. This observation should be made with the test hand on the upstroke. The following table can be used for determining length of observation time.

TABLE E
Test Observation Times for
Various Meter Dials

| Dial Styles | Test Timer |
|--------------------|-------------------|
| Cubic Feet | Minutes |
| 1/4 | 5 |
| 1/2 | 5 |
| 1 | 7 |
| 2 | 10 |
| 5 | 20 |
| 10 | 30 |

In case careful observation of the test hand for a sufficient length of time reveals no movement, the piping shall be purged and a small gas burner turned on and lighted and the hand of the test dial again observed. If the dial hand moves (as it should), it will show that the meter is operating properly. If the test hand does not move or register flow of gas through the meter to the small burner, the meter is defective and the gas should be shut off and the serving gas supplier notified.

(Ord. BL2002-1142 § 20, 2002; Ord. 98-1445 §§ 58—68, 1998; Ord. 95-1487 §§ 59—83, 1995; Ord. 92-118 §§ 15,16, 1992; Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-41.3)

**16.16.250 Liquefied Petroleum Gases Code—
Local amendments.**

Reserved. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-41.4)

**16.16.260 Standard Mechanical Code—Local
amendments.**

The following amendments, deletions, or additions to the 2000 Edition of the Standard Mechanical Code are adopted by reference, as fully as though copied into such Mechanical Code, and thereby made a part of the Mechanical Code.

A. Section 201 of the 2000 Edition of the Standard Mechanical Code is amended by adding a new Section 201.5 and substituting the following:

201.5 Interchangeability with the Standard Codes. The International Building Code shall be construed to mean the Standard Building Code. The International Property Maintenance Code shall be construed to mean the Property Standards Code of the Metropolitan Government. The International Mechanical Code shall be construed to mean the Standard Mechanical Code. The International Fuel Gas Code shall be construed to mean the Standard Gas Code. The International Plumbing Code shall be construed to mean the Standard Plumbing Code. The International Private Sewage Disposal Code shall be construed to mean the Subsurface Sewage Disposal Systems Code. The ICC Electrical Code shall be construed to mean the National Electrical Code.

B. Section 202 of the 2000 Edition of the Standard Mechanical Code is hereby amended by adding the following new definition of as follows:

ADMINISTRATIVE AUTHORITY—shall mean the Director of the Metropolitan Department of Codes Administration, his deputy or duly authorized representative.

C. Section 202 of the 2000 Edition of the Standard Mechanical Code is hereby amended by deleting the definition of Code Official and substituting the following:

CODE OFFICIAL—shall mean the Director of the Metropolitan Department of Codes Administration, his deputy or duly authorized representative.

D. Table 403.3 of the 2000 Edition of the Standard Mechanical Code is hereby amended by deleting Table 403.3 and substituting the following:

**TABLE 403.3
REQUIRED OUTDOOR VENTILATION AIR**

| OCCUPANCY CLASSIFICATION | ESTIMATED MAXIMUM OCCUPANT LOAD PERSONS PER 1,000 SQUARE FEET ^a | OUTDOOR AIR [cubic feet per minute (cfm) per person UNLESS NOTED ^e |
|--|--|---|
| Correctional facilities | | |
| Cells | 20 | 20 |
| Dining halls | 100 | 15 |
| Guard stations | 40 | 15 |
| Dry cleaners, laundries | | |
| Coin-operate dry cleaner | 20 | 15 |
| Coin-operated laundries | 20 | 15 |
| Commercial dry cleaner | 30 | 30 |
| Commercial laundry | 10 | 25 |
| Storage, pick up | 30 | 35 |
| Education | | |
| Auditoriums | 150 | 15 |
| Classroom | 50 | 15 |
| Corridors | — | 0.10 cfm/ft ² |
| Laboratories | 30 | 20 |
| Libraries | 20 | 15 |
| Locker rooms | — | 0.50 cfm/ft ² |
| Music rooms | 50 | 15 |
| Smoking lounges ^{b,g} | 70 | 60 |
| Training shops | 30 | 20 |
| Food and beverage service | | |
| Bars, cocktail lounges | 100 | 30 |
| Cafeteria, fast food | 100 | 20 |
| Dining rooms | 70 | 20 |
| Kitchens (cooking) ^{f,g} | 20 | 15 |
| Hospitals, nursing and convalescent homes | | |
| Autopsy rooms ^b | — | 0.50 cfm/ft ² |
| Medical procedure rooms | 20 | 15 |
| Operating rooms | 20 | 30 |
| Patient rooms | 10 | 25 |
| Physical therapy | 20 | 15 |
| Recovery and ICU | 20 | 15 |
| Hotels, motels, resorts and dormitories | | |
| Assembly rooms | 120 | 15 |
| Bathrooms ^{b,g} | — | 35 cfm per room |
| Bedrooms | — | 30 cfm per room |
| Conference rooms | 50 | 20 |
| Dormitory sleeping areas | 20 | 15 |
| Gambling casinos | 120 | 30 |
| Living rooms | — | 30 cfm per room |
| Lobbies | 30 | 15 |
| Offices | | |
| Conference rooms | 50 | 20 |
| Office spaces | 7 | 20 |
| Reception areas | 60 | 15 |
| Telecommunication centers and data entry | 60 | 20 |
| Private dwellings, single and multiple | | |

| | | |
|--|---|---|
| Living area ^c | Based upon number of bedrooms: First bedroom: 2; each additional bedroom: 1 | 0.35 air changes per hour ^a or 15 cfm per person, whichever is greater |
| Kitchens ^g | — | 100 cfm intermittent or 2 cfm continuous |
| Toilet rooms and bathrooms ^g | — | Mechanical exhaust capacity of 50 cfm intermittent or 20 cfm continuous |
| Garages, separate for each dwelling | — | 100 cfm per car |
| Garages, common for multiple units ^b | — | 1.5 cfm/ft ² |
| Public spaces | | |
| Corridors and utilities | — | 0.05 cfm/ft ² |
| Elevators ^g | — | 1.00 cfm/ft ² |
| Locker and dressing rooms ^b | — | 0.5 cfm/ft ² |
| Toilet rooms ^{b,g} | — | 75 cfm per water closet or urinal |
| Smoking lounges ^{b,g} | 70 | 60 |
| Retail stores, sales floors and showroom floors | | |
| Basement and street | — | 0.30 cfm/ft ² |
| Dressing rooms | — | 0.20 cfm/ft ² |
| Malls and arcades | — | 0.20 cfm/ft ² |
| Shipping and receiving | — | 0.15 cfm/ft ² |
| Smoking lounges ^b | 70 | 60 |
| Storage rooms | — | 0.15 cfm/ft ² |
| Upper floors | — | 0.20 cfm/ft ² |
| Warehouses | — | 0.05 cfm/ft ² |
| Specialty shops | | |
| Automotive service stations | — | 1.5 cfm/ft ² |
| Barber | 25 | 15 |
| Beauty | 25 | 25 |
| Clothiers, furnitures | — | 0.30 cfm/ft ² |
| Florists | 8 | 15 |
| Hardware, drugs, fabrics | 8 | 15 |
| Pet shops | — | 1.00 cfm/ft ² |
| Reducing salons | 20 | 15 |
| Supermarkets | 8 | 15 |
| Theaters | | |
| Auditoriums | 150 | 15 |
| Lobbies | 150 | 20 |
| Stages, studios | 70 | 15 |
| Ticket booths | 60 | 20 |
| Transportation | | |
| Platforms | 100 | 15 |
| Vehicles | 150 | 15 |
| Waiting rooms | 100 | 15 |
| Workrooms | | |
| Bank vaults | 5 | 15 |
| Darkrooms | — | 0.50 cfm/ft ² |
| Duplicating, printing | — | 0.50 cfm/ft ² |
| Meat processing ^c | 10 | 15 |
| Pharmacy | 20 | 15 |
| Photo studios | 10 | 15 |
| Sports and amusement | | |
| Ballrooms and discos | 100 | 25 |
| Bowling alleys (seating areas) | 70 | 25 |

| | | |
|---|-----|--------------------------|
| Game rooms | 70 | 25 |
| Ice arenas | — | 0.50 cfm/ft ² |
| Playing floors (gymnasiums) | 30 | 20 |
| Spectator areas | 150 | 15 |
| Swimming pools (pool and deck area) | — | 0.50 cfm/ft ² |
| Storage | | |
| Repair garages, enclosed parking garages ^d | — | 1.5 cfm/ft ² |
| Warehouses | — | 0.05 cfm/ft ² |

For SI: 1 cubic foot per minute = 0.0004719 m³/s, 1 ton = 908 kg, 1 cubic foot per minute per square foot = 0.00508 m³/(s • m²), °C = [(°F) -32]/1.8, 1 square foot = 0.0929 m².

- Based upon net floor area.
- Mechanical exhaust required and the recirculation of air from such space as permitted by Section 403.2.1 is prohibited (see Section 403.2.1).
- Spaces unheated or maintained below 50°F are not covered by these requirements unless the occupancy is continuous.
- Ventilation systems in enclosed parking garages shall comply with Section 404. A mechanical ventilation system shall not be required in garages having a floor area not exceeding 850 square feet and used for the storage of not more than four vehicles or trucks of 1 ton maximum capacity.
- Where the ventilation rate is expressed in cfm/ft², such rate is based upon cubic feet per minute per square foot of the floor area being ventilated.
- The sum of the outdoor and transfer air from adjacent spaces shall be sufficient to provide an exhaust rate of not less than 1.5 cfm/ft².
- Transfer air permitted in accordance with Section 403.2.2.

E. Sections 506, 507, 508 and 509 of the 2000 Standard Mechanical Code are hereby amended by deleting Sections 506, 507, 508 and 509 and substituting the following:

Grease hood duct systems must comply with NFPA 96 2000 Edition.

F. Section 601 of the 2000 Standard Mechanical Code is hereby amended by adding a new Section 601.4. as follows:

601.4 Insulation required. All ductwork installed in non-conditioned and not completely conditioned areas such as crawl, attic and the floor/ceiling assembly shall be insulated

G. Section 607.5.2 Exception 1 of the 2000 Standard Mechanical Code is hereby amended by deleting Section 607.5.2 Exception 1 and substituting the following:

Steel exhaust air subducts extend not less than 22 inches (559 mm) vertically in an exhaust riser duct in-

stalled in a shaft providing there is a continuous airflow upward to the outdoors.
(Ord. BL2002-1142 § 21, 2002: Ord. 98-1445 §§ 69—73, 1998; Ord. 95-1487 § 84, 1995; Ord. 92-118 §§ 17, 1992: Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-41.5)

**16.16.270 Equipment, appliances and/or
 HVAC&R units.**

Reserved. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-42)

16.16.280 Electrical connections.

All equipment, appliances and/or HVAC&R units must be installed and wired in accordance with the applicable chapter of the National Electrical Code. The master mechanical, HVAC&R or gas and appliance contractor shall be permitted to install equipment and connect the electrical wiring from the last disconnecting means provided by a licensed metropolitan electrical or equipment installer contractor that is dedicated for the purpose of supplying the electrical source to the said equipment. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-42.1)

16.16.290 Plumbing connections.

The certificate holder shall be permitted to connect HVAC&R, mechanical equipment or appliances to the water supply provided by a metropolitan plumbing contractor and to connect condensate drain piping to properly trapped plumbing drainage system in accordance with the Standard Plumbing Code. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-42.2)

16.16.300 Gas connections—Adequate air supply required.

Any person, certificate holder, firm or corporation shall not connect a fuel line to any gas utilization equipment that does not have an adequate supply of air for ventilation and combustion as required by the metropolitan gas/mechanical code. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-43)

16.16.310 Gas connections—By whom.

Under no circumstance shall anyone not employed by the gas utility be permitted to open or make connections to a gas main, service pipe or service extension, or set or remove the meter, or do any work on any part of the gas supply system including the meter (except that gas may be turned off at the meter in case of leak, fire, or hazardous conditions). Where the meter has been turned off, the gas utility shall be notified and, after repairs have been made and approved, the meter shall be turned on and service restored by an employee of the gas utility. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-44)

16.16.320 Fuel gas installations and operating pressures.

A. Fuel gas installations shall include, natural gas, manufactured gas, liquified petroleum gas-air mixtures and mixtures of those gases, plus gas-air mixtures within the flammable limit of a mixture being a commercially distributed product.

B. For other than undiluted LP gas systems, installations shall be from the point of delivery (outlet of the service meter assembly) to the connections of each gas utilization device.

C. For undiluted LP gas systems, installations shall be from the point of delivery (outlet of the first stage regulator).

D. Gas-air mixtures piping systems within the flammable range shall be limited to a maximum operating pressure of 10 psig without permission of the director of codes administration or his duly authorized representatives.

E. Natural gas piping systems shall be limited to seven inches of water column. Systems of two pounds or greater for new installations, shall require written approval from the local gas utility company.

F. LP (vapor) piping systems shall be limited to fifteen inches of water column without prior approval of liquified petroleum supplier. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-45, 19-1-45.1—19-1-45.5)

16.16.330 Work not requiring contractor's license—Permit required.

A metropolitan plumbing contractor may install gas piping and hot water heaters only without a gas/mechanical contractor's license but are required to obtain a gas/mechanical permit for such installation. Any other appliance connected to the gas piping would require the installation to be performed by a metropolitan master mechanical, HVAC&R or gas and appliance contractor. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-46)

Article III. Permits

16.16.340 Required when—Exceptions.

A. A gas/mechanical permit shall be obtained from the department of codes administration prior to the installation of consumer's gas piping, gas appliances and related accessories, mechanical systems, including alterations, replacement, equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators, radon gas reduction systems and any other energy-related systems.

B. A permit shall be required for replacement but not repair of any gas or mechanical appliance. All work must be performed by a metropolitan gas/mechanical contractor or a homeowner as per Section 16.16.070.

C. In one and two family dwellings, a gas/mechanical permit shall not be required for bathroom exhaust fans, dryer vents, and recirculating kitchen exhaust systems or replacement of nonducted nonvented appliances or hot

water heaters and dryers less than seventy-five thousand Btuh (input).

- D. Gas/mechanical permits shall not be required for:
1. Any portable heating appliance;
 2. Any portable ventilating equipment;
 3. Any portable cooling unit;
 4. Any steam, hot or chilled water piping within any heating or cooling equipment regulated by this code;
 5. Any portable evaporative cooler;
 6. Any self-contained refrigeration system containing ten pounds or less of refrigerant and actuated by motor or compressor of less than one horsepower.

E. Exceptions: Window units or through-the-wall heating and/or cooling units in residential buildings with five or more units or in commercial buildings where these units are the primary source of heating and/or cooling require a permit. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-55)

16.16.350 Registration as metropolitan master contractor required—Exception.

A. A permit to install, enlarge, alter, move, improve, convert or replace any gas system or mechanical system, or cause the same to be done shall not be issued to any person, firm or corporation unless such person, firm or corporation has been duly registered by the department of codes administration as a metropolitan master mechanical, HVAC&R or gas and appliance contractor except as provided below:

B. The director of codes administration or his duly authorized representative shall be authorized to issue “homeowner permits” to property owners desiring to make mechanical repairs and/or additions to their property or improvements thereto. Homeowner permits shall be issued only if the applicant meets the conditions of Section 16.16.070. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-56)

16.16.360 Application—Signature of certificate holder.

Application for a gas/mechanical permit shall be made in writing on forms provided by the director of codes administration. Each applicant entitled to receive a gas/mechanical permit shall submit such information as required on the permit application forms. The certificate holder shall sign all and only applications for the metropolitan gas/mechanical contractor with whom his/her certificate is registered. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-57)

16.16.370 Plans and specifications—Requirements.

A. Detailed plans and specifications shall be provided to define the nature and character of the work to be performed and to identify the type, grade and size of the materials, devices, equipment, and fixtures to be installed. The applicant for a gas/mechanical permit shall furnish such plans and specifications with the application for such permit. Such plans shall be drawn to scale and all plans and specifications shall be triplicate.

B. No plans shall be required for one and two family dwellings.

C. Plans shall indicate how required fire-resistive integrity will be maintained where a penetration of a wall, floor or partition will be made fire-resistive for gas/mechanical conduits, ducts, pipes and systems.

D. All drawings, specifications and accompanying data shall bear the name and address of the designer. When required by state law, such designer of the gas/mechanical plans shall be an architect or engineer legally registered under the laws of the state and shall affix his or her official seal to said drawings, specifications and accompanying data. (Ord. 90-1253 § 1 (part), 1990: prior code §§ 19-1-58, 19-1-58.1)

16.16.380 Examination of applications.

The director of codes administration shall examine or cause to be examined each application for a gas/mechanical permit and the plans and specifications submitted therewith and shall determine by such examination whether the gas or mechanical installation, gas or mechanical system, device, equipment, fixtures, etc., as indicated and described, are in accordance with the provisions and requirements of this chapter and other pertinent laws and ordinances. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-59)

16.16.390 Plans and specifications—Reviewed—Copy at jobsite.

Each set of plans and specifications shall be properly marked “Reviewed,” with one set being returned to the applicant with the permit and one set to be retained as a record in the offices of the department of codes administration. A copy of the reviewed plans and specifications shall be kept at the job site at all times during the progress of work. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-60)

16.16.400 Fees—Schedule—Classification of appliances.

A. No gas/mechanical permit shall be held valid until the fees prescribed in this section shall have been paid, nor

shall an amendment or change to an existing permit be approved until such additional fees as may be due shall have been paid.

B. Permit fees for the installation of gas/mechanical systems, devices, equipment and fixtures, including but not limited to the installation of fixtures, repairs and alterations to existing gas/mechanical installations and systems, shall be as follows:

1. Fee schedule.

| | |
|---|---------|
| Minimum fee (each permit) | \$50.00 |
| *Gas and/or mechanical appliance (each appliance) | 6.00 |
| Gas meter connection | 6.00 |
| Hot water heater | 12.00 |
| Fuel Piping (under ground fuel lines) | 30.00 |
| Reinspection fee | 30.00 |

* Each appliance outlet shall be counted as one appliance in figuring the total permit fee, whether or not the appliance is actually installed at the time the gas/mechanical system is installed.

2. In addition, fees for heating, ventilating, ductwork (installation without heating/cooling equipment), air-conditioning and refrigeration systems or alterations or replacement and/or additions shall also be based upon total Btuh and/or kilowatts input of all appliances at the rate of twenty dollars per one hundred thousand Btuh or fraction thereof.

C. The classifications listed below shall each be counted as one fixture, equipment or appliance:

Air-conditioning unit;
Air handling unit;
Alt. fuel system;
Boiler;
Broiler;
Collector, dust etc.;
Condensing unit or condenser;
Cooling tower;
Conversion burner;
Dryer;
Duct heater;
Duct system;
Exhaust fan, hood;
Factory built fireplace or insert;
Fire or smoke damper;
Fryer;
Furnace;
Gas logs unit;
Gas piping;
Grill or griddle;
Heat exchanger;
Humidifier or dehumidifier;

Incinerator;
Infrared heater;
Make up air unit;
Oven;
Package unit;
Pool or sauna heater;
Power venter;
Radon removal system;
Range or cook top unit;
Recirculating fan unit;
Refrigeration unit;
Rooftop unit;
Room heater;
Stationary gas engines, turbines;
Stove, solid fuel or laundry;
Tank, oil or LP;
Unit heater;

Water heater or circulation tank. (BL2004-175 § 2, 2004: Ord. 92-118 §§ 18, 19, 1992; Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-61)

16.16.410 Failure to obtain permit—Fees tripled.

In addition to any other penalty imposed for failure to obtain a permit, when work on any gas, gas/mechanical installation or gas/mechanical system requiring a permit is commenced prior to the issuance of the required permit, the permit fee for such work shall be tripled; provided, that the triple fee penalty shall not be applied when, in the opinion of the director of codes administration, an emergency existed. (Ord. 91-1527 § 2, 1991; Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-62)

16.16.420 Issuance.

Upon approval of the application for a gas/mechanical permit and the plans and specifications submitted therewith, the director of codes administration shall issue or cause to be issued a permit therefor to the applicant. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-63)

16.16.430 Refusal—Written statement.

In such instances where it has been determined that the application for a gas/mechanical permit shall be refused, the plans and specifications shall be returned to the applicant with a statement setting forth the reasons for such refusal. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-64)

16.16.440 Authority of permit.

A. The issuance of a mechanical permit shall be construed as the authority to proceed only with the work specified and reviewed as shown by plans and specifica-

tions, and shall not in any manner be construed as the authority to violate, cancel, alter, change or set aside any of the provisions of this chapter, nor to do or perform any work or make any installation not specifically covered by the approved plans and specifications upon which the permit was issued.

B. The issuance of a gas/mechanical permit shall not prevent nor prohibit the director of codes administration from thereafter requiring the correction of errors or omissions in the plans and specifications or in the gas/mechanical installation or of violations of this chapter.

C. The gas/mechanical contractor shall be responsible for notifying the gas/mechanical inspector of any change in plans. The inspector may require the change in plans to be submitted for review as per Section 16.16.380. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-65)

16.16.450 Expiration—Extension.

Any gas/mechanical permit issued shall become invalid unless the work authorized by such permit shall have been commenced within six months after the date of issuance, or if the work so authorized is suspended or abandoned for a period of one year after the time the work is commenced. In no case shall a permit be valid for more than two years after its issuance; provided that for cause, if the work authorized by it is sufficiently under way and is diligently pursued, the director of codes administration may, for justifiable cause, grant one or more extensions of time for periods not exceeding ninety days each. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-66)

16.16.460 Nontransferability—Refunds.

Permits issued under this chapter are not transferable from one contractor, one job, site or location to another, and any refunds shall be made in accordance with Section 16.16.480. This provision shall not prohibit the correction or change of addresses, location or contractor made through error on the application. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-67)

16.16.470 Change in contractor—Reissuance of permit—Fees.

When a change in a contractor occurs before a job is completed, the gas/mechanical contractor who obtains the permits, shall notify the gas/mechanical official in writing. A new permit shall be taken out for the unfinished construction. The gas/mechanical contractor that completes the construction shall pay a prorata permit fee based upon the unfinished construction; but in no case, less than the minimum permit fee. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-67.1)

16.16.480 Fees—Refunds.

A. Application for a refund of fees paid for any unused permit issued under the provisions of this chapter shall be made on forms provided by the director of codes administration.

B. Refunds shall only be made for that portion of a fee exceeding fifty dollars. In no case shall any fee be refunded on any unused permit over six months old or when any inspection has been made, regardless of the fees paid. (Ord. 91-1527 § 3, 1991; Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-68)

Article IV. Inspections

16.16.490 Required when.

All new gas/mechanical installations and gas/mechanical systems and such portions of an existing gas/mechanical system as may be affected by new gas/mechanical installations or changes, for which a permit is required, shall be inspected to assure compliance with the requirements of this chapter and to assure that the installation and construction of the gas/mechanical system is in accordance with the reviewed plans and specifications. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-74)

16.16.500 Alteration of existing system.

Before issuing a permit the gas/mechanical official may examine or cause to be examined any gas system or mechanical system for which an application has been received for a permit to enlarge, alter, repair, move, replace or change a gas or mechanical system. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-73)

16.16.510 Inspection test—Permittee's responsibility.

It shall be the responsibility of the person to whom a gas/mechanical permit has been issued to assure that the gas or mechanical installation made will stand the test prescribed before making a request of the department of codes administration for test and inspection. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-77)

16.16.520 Time schedule.

Upon notification from the certificate holder or gas/mechanical contractor, codes administration gas/mechanical inspectors shall make the following inspections of gas/mechanical systems:

A. Rough Piping Inspection. The rough piping inspection is to be made after trenches or ditches are excavated and all new fuel piping authorized by the permit has been installed, and before any such piping has been backfilled

or covered or concealed or any fixtures or gas appliances have been connected.

B. Final Piping Inspection. The final piping inspection is to be made after all gas piping authorized by the permit as been installed and after all portions have been concealed and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.

C. Rough-In Inspection. The rough-in inspection is to be made after the roof, framing, draftstopping, fire-blocking and bracing are in place, all ducting and other concealed components are complete and in place and prior to the installation of wall or ceiling membranes.

D. Final Inspection. The final inspection is to be made after building is complete, the gas/mechanical systems are in place and properly connected, and the structure is ready for occupancy. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-75)

16.16.530 Notice to director that work is ready for inspection.

It shall be the duty of the person to whom a gas/mechanical permit is issued to give reasonable advance notice to the department of codes administration when the gas or mechanical work for which a permit has been issued is ready for test and inspection. Inspection is to be performed without unreasonable or unnecessary delay of request. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-76)

16.16.540 Retesting and reinspection—Fee.

When the gas or mechanical installation does not pass the required inspections, the permittee shall be required to make the necessary changes and corrections and to submit the gas or mechanical installation to reinspection within ten working days after rejection. In all instances where reinspections are deemed necessary, an additional fee of twenty-five dollars shall be paid for each reinspection required. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-78)

16.16.550 Notice of approval.

Upon satisfactory completion of the rough-in inspection and testing of a gas/mechanical installation, notice of approval of such installation shall be posted within the building. Such notice shall be dated and properly signed by the person making the inspection. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-79)

16.16.560 Notice of rejection.

A. In the event of failure of a gas/mechanical installation to pass the required tests and inspection, notice of such failure shall be given the permittee and contractor and

a gas/mechanical rejected notice shall be placed within the building, pending a reinspection and testing.

B. It is unlawful for any person to remove a gas/mechanical rejected notice prior to satisfactory completion of the reinspection testing.

C. When an inspection is rejected, codes administration will do two things:

1. Place rejected notice at jobsite;
2. Give notice to permittee. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-80)

16.16.570 Certificate of approval.

A. Upon satisfactory completion and final test of gas/mechanical system, notice of approval of such installation shall be posted within the building. Such notice shall be dated and properly signed by the person making the inspection.

B. After passing inspection, a certificate of approval may be issued by the director of codes administration, upon the request of the permittee or owner. The local gas utility shall be notified of system completion. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-81)

16.16.580 Temporary certificate of approval.

A temporary certificate of approval may be issued for a portion or portions of a gas/mechanical system which may safely be operated prior to final completion of the gas/mechanical system. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-82)

Article V. Certification of Contractors

16.16.590 Classifications of certificates—Enumerated.

For the purposes of this chapter, every person engaged in or desiring to engage in the business of gas or mechanical or in the performance of any gas or mechanical work or the making of any gas/mechanical installation for which a permit is required, within the metropolitan government area shall be registered and certified by the board of gas/mechanical examiners and appeals in one of the following classifications:

- A. Metropolitan master mechanical certificate;
- B. Metropolitan HVAC&R certificate;
- C. Metropolitan gas and appliance certificate. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-90)

16.16.600 Classifications—Defined.

For the purpose of this chapter, the classifications of gas/mechanical certificate holders shall be defined as follows:

A. "Metropolitan master mechanical certificate holder" means an individual who has successfully completed the required metropolitan master mechanical certificate examination and holds a current and valid master mechanical certificate duly issued by the metropolitan board of gas/mechanical examiners and appeals.

B. "Metropolitan HVAC&R certificate holder" means an individual who has successfully completed the required HVAC&R certificate examination and holds a current and valid metropolitan HVAC&R certificate duly issued by the metropolitan board of gas/mechanical examiners and appeals.

C. "Metropolitan gas and appliance certificate holder" means an individual who has successfully completed the required gas and appliance certificate examination and holds a current and valid metropolitan gas and appliance certificate duly issued by the metropolitan board of gas/mechanical examiners and appeals. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-91)

16.16.610 Examination, certification and registration required.

It is unlawful for any person to engage in the business of gas/mechanical contracting without first having been examined and certified. An application shall not be accepted by the board within twelve months after any notification of the board of a person, firm or corporation engaging in the business of gas/mechanical or performing any gas or mechanical work or making any gas or mechanical installation without having been first examined, certified and registered as such by the board of gas/mechanical examiners and appeals. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-92)

16.16.620 Application—Duty of contractor—Prerequisites.

A. It shall be the duty of every person engaged in or desiring to engage in the business of gas/mechanical to do or perform any gas or mechanical work or to make any gas or mechanical installation as a master mechanical certificate holder, HVAC&R certificate holder, or gas and appliance certificate holder to make application to the board of gas/mechanical examiners and appeals for an examination and issuance of a certificate of registration. Application for an examination and certificate of registration shall be made on forms provided by the director of codes administration and shall be accompanied by the required examination fee.

B. In addition to the foregoing requirements, each applicant for examination for a gas/mechanical certificate must furnish evidence that he/she had experience in

gas/mechanical trades. A degree in mechanical engineering may be accepted in lieu of the experience requirement.

C. In the case of an application for examination for a master mechanical certificate an applicant must have six years experience; for HVAC&R certificate, an applicant must have four years experience. In the case of an application for examination for a gas and appliance certificate, an applicant must have three years experience.

D. Each applicant shall be available full time at least three and one half days per week during normal business hours at the gas/mechanical contractor's place of business located in Davidson County to supervise all work done under the certificate and meet with code officials during normal business hours. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-93)

16.16.630 Limited certificate.

Reserved. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-93.1)

16.16.640 Examination—Notice of.

Each applicant for examination and certification as a certificate holder shall be notified, in writing, by the secretary of the board of gas/mechanical examiners and appeals as to the time and place of such examinations, not less than seven days prior to the date scheduled for such examination. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-94)

16.16.650 Examination—Content.

An examination of each applicant for a master mechanical certificate, HVAC&R certificate or gas and appliance certificate shall be conducted by the board of gas/mechanical examiners and appeals at a time and place determined by such board. The examination shall be written and shall, in each instance, be of such nature as to satisfy the board as to the applicant's proficiency in the art of gas and mechanical installations and his knowledge of the provisions and material requirements of this chapter and any subsequent amendments made thereto, as such are related to the applicant's request for certification. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-95)

16.16.660 Examination—Failure to appear.

The failure of an applicant to appear before the board of gas/mechanical examiners and appeals for examination, at the time and place scheduled for such examination, shall not be construed as denying any applicant the right to request a rescheduling of such examination at a later date; except, that no application for examination and certification shall be held pending by the board, except for just cause, for more than ninety days following receipt of such application. In the event an applicant, after due notice,

shall fail to appear before the board for examination, during such ninety day period, above, the application shall be rejected, the applicant shall be notified of the action taken by the board and the examination fee shall be forfeited. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-96)

16.16.670 Reexamination.

Any applicant for examination and certification as a certificate holder who shall fail to pass the examination as required by the board of gas/mechanical examiners and appeals may apply for reexamination within thirty days following the date of such examination. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-97)

16.16.680 Issuance—Requirements.

The board of gas/mechanical examiners and appeals shall issue a certificate in each of the following classifications when the applicant has fulfilled the following requirements:

A. A metropolitan master mechanical certificate shall be issued to every applicant who makes proper application for such certificate, successfully completes the required master mechanical certificate examination and pays the required master mechanical certificate certification fee.

B. A metropolitan HVAC&R certificate shall be issued to every applicant who makes proper application for such certificate, successfully completes the required HVAC&R certificate examination and pays the required HVAC&R certificate certification fee.

C. A metropolitan gas and appliance certificate shall be issued to every applicant who makes proper application for such certificate, successfully completes the required gas and appliance certificate examination and pays the required gas and appliance certificate certification fee. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-98)

16.16.690 Fees.

A. The fees for examination and certification of a master mechanical certificate, HVAC&R certificate, and gas and appliance certificate shall be as follows:

| Classifications | Examination Fee | Original Certificate Fee | Renewal Certificate Fee |
|-------------------------------|-----------------|--------------------------|-------------------------|
| Master mechanical certificate | \$50.00 | \$100.00 | \$100.00 |
| HVAC&R certificate | 50.00 | 75.00 | 75.00 |
| Gas and appliance | | | |

| Classifications | Examination Fee | Original Certificate Fee | Renewal Certificate Fee |
|-----------------|-----------------|--------------------------|-------------------------|
| certificate | 50.00 | 75.00 | 75.00 |

B. Renewal certificates for each classification shall be issued free of charge to any certificate holder over sixty-five (65) years of age. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-99)

16.16.700 Annual renewal—Penalty for failure to renew.

Each certificate issued by the board of gas/mechanical examiners and appeals shall expire on the first day of October following issuance and shall become invalid unless renewed. Such certificate shall be renewed annually and recorded in the offices of the department of codes administration, on or before the last day of September of each year. Such records shall be open to public inspection during the normal working hours of the department. There shall be, in addition to the renewal fee set out above, a penalty of ten dollars per month for certificate holder for each month in arrears past the expiration date of said certificate, up to a maximum of twelve months. Thereafter, on the first day of the second year past expiration, the certificate shall be considered invalid and the holder shall then be considered a new applicant under Section 16.16.620. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-100)

16.16.710 Duties of certificate holders.

A. It shall be the duty of the certificate holder to assure that the gas/mechanical work for which he/she is responsible is installed in accordance with all requirements of the metropolitan gas/mechanical code in addition, the certificate holder must comply with all applicable state laws.

B. The certificate holder shall be responsible for all work for which a permit was obtained under his/her certificate and to request and secure all inspections.

C. No gas/mechanical work shall be begun until a permit has been obtained by the certificate holder.

D. It shall be the responsibility of the certificate holder and the gas/mechanical contractor to immediately notify the board in writing if his employment is terminated for any reason or he is unable to perform his duties.

E. The certificate holder shall promptly notify the gas/mechanical contractor of any deficiencies in the work as identified to him/her in writing by a metropolitan gas/mechanical inspector. It shall be the responsibility of the certificate holder to promptly correct such deficiencies in the work. A certificate holder shall not furnish permits

for gas/mechanical work to any person, firm or corporation other than the registered gas/mechanical contractor with whom his/her certificate is registered.

F. Failure to comply with any of the duties listed above shall constitute grounds for suspension or revocation of the certificate holder certificate. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-101)

16.16.720 Revocation of certificate—Grounds—Notice—Recertification.

A. The board of gas/mechanical examiners and appeals shall revoke or suspend a certificate issued to any certificate holder upon positive proof that such person:

1. Knowingly violated the provisions of this chapter or the rules and regulations of the board;
2. Practiced fraud or deception in making application for or obtaining such certificate;
3. Is incompetent to perform a service to the public as a certificate holder;
4. Permitted his/her certificate to be used, directly or indirectly, by another to obtain or perform work or services;
5. Worked as a certificate holder for more than one gas/mechanical contractor;
6. Worked as a certificate holder, and pulled permits for his/her own use without the knowledge or consent of the gas/mechanical contractor with whom his/her certificate is registered;
7. Is guilty of such other unprofessional or dishonorable conduct of such nature as to deceive or defraud the public.

B. No action of the board to suspend or revoke a certificate shall become final until the alleged offender has been given an opportunity to appear before the board to show cause as to why such action should not be taken.

C. Notice, in writing, of the proposed action of the board to revoke or suspend a certificate shall be given to the holder of such certificate, stating the specific charges upon which such action is based. The notice shall stipulate that a hearing will be scheduled at a time and place set by the board for the aggrieved party to show cause why such action should not be made final. Such hearing shall not be held less than forty-eight hours following notice to the aggrieved party. Failure to appear before the board to answer the specific charges set forth in the notice shall be deemed just cause for final revocation or suspension of a certificate.

D. In the event a certificate is revoked by the board, an application for reexamination of such certificate shall not be accepted by the board within one year after the date of such revocation. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-102)

16.16.730 Inactivation of certificate upon holder's request.

Any person holding a master mechanical, HVAC&R or gas and appliance certificate may, upon his/her written request, inactivate his/her certificate and, during such period of inactivation, shall pay no renewal fees. Upon presentation of his/her affidavit that he/she intends to become active, after a waiting period of ninety days his/her certificate shall be reactivated upon payment of the current fees. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-103)

Article VI. Contractor Requirements

16.16.740 Metropolitan master mechanical contractor defined.

For the purposes of this chapter, a metropolitan master mechanical contractor who installs, repairs, services or alters any HVAC&R or gas appliances or HVAC&R or gas systems or refrigeration, incineration and other energy consuming systems with associated ductwork and piping unlimited in capacity and size as permitted by the metropolitan gas/mechanical code shall be defined as one of the following:

A. An individual holding a current and valid metropolitan master mechanical certificate duly issued by the board of gas/mechanical examiners and appeals, who holds a current and valid contractors' license issued by the Tennessee State Board for Licensing Contractors when required, who has been duly registered as a metropolitan master mechanical contractor by the department of codes administration and has secured the required contractors' privilege license from the proper licensing authority of the metropolitan government and also has provided proper bond and certificate of insurance;

B. A person, firm, association or corporation established to do business as a metropolitan master mechanical contractor, employing the full-time services of an individual holding a current and valid master mechanical certificate duly issued by the board of gas/mechanical examiners and appeals, who holds a current and valid contractors' license issued by the Tennessee State Board for Licensing Contractors when required, who has been duly registered as a metropolitan master mechanical contractor by the department of codes administration and has secured the required contractors' privilege license from the proper licensing authority of the metropolitan government and has provided proper bond and certificate of insurance. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-108)

16.16.750 Metropolitan HVAC&R contractor defined.

For the purposes of this chapter, a metropolitan HVAC&R contractor who installs, repairs, services or alters HVAC&R appliances including gas appliances and equipment, ductwork and piping required to make a complete and operating system shall be limited to installations not to exceed the following rated (input) thirty tons, or one and one-half million Btuh, or gas piping systems not to exceed five psi pressure for the total system, shall be defined as one of the following:

A. An individual holding a current and valid metropolitan HVAC&R certificate duly issued by the board of gas/mechanical examiners and appeals, who holds a current and valid contractors' license issued by the Tennessee State Board for Licensing Contractors when required, who has been duly registered as a metropolitan HVAC&R contractor by the department of codes administration and has secured the required contractors' privilege license from the proper licensing authority of the metropolitan government and has provided proper bond and certificate of insurance;

B. A person, firm, association or corporation established to do business as a metropolitan HVAC&R contractor, employing the full-time services of an individual holding a current and valid HVAC&R certificate duly issued by the board of gas/mechanical examiners and appeals, who holds a current and valid contractors' license issued by the Tennessee State Board for Licensing Contractors when required, who has been duly registered as a metropolitan HVAC&R contractor by the department of codes administration and has secured the required contractors' privilege license from the proper licensing authority of the metropolitan government and has provided proper bond and certificate of insurance. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-109)

16.16.760 Metropolitan gas and appliance contractor defined.

A. For the purposes of this chapter, a metropolitan gas and appliance contractor who installs, repairs, services or alters gas, fuel, oil and solid fuel appliances, water heaters, unvented heaters and unit heaters including equipment and piping required to make a complete and operating system of natural gas of two psi and under to serve equipment installed; contractors who provide complete propane systems two psi and under including storage tanks may provide piping systems of up to ten psi external of the building, maximum input rating of gas appliances not to exceed seven hundred and fifty thousand Btu.

B. Exception: A public utility licensed as a gas and appliance contractor shall be allowed to install and service

appliances and equipment as required by the Public Service Commission.

C. A metropolitan gas and appliance contractor shall be defined as one of the following:

1. An individual holding a current and valid metropolitan gas and appliance certificate duly issued by the board of gas/mechanical examiners and appeals, who holds a current and valid contractor's license issued by the Tennessee State Board for Licensing Contractors when required, who has been duly registered as a metropolitan gas and appliance contractor by the department of codes administration and has secured the required contractor's privilege license from the proper licensing authority of the metropolitan government and has provided proper bond and certificate of insurance;

2. A person, firm, association or corporation established to do business as a metropolitan gas and appliance contractor, employing the full-time services of an individual holding a current and valid gas and appliance certificate duly issued by the board of gas/mechanical examiners and appeals, who holds a current and valid contractor's license issued by the Tennessee State Board for Licensing Contractors when required, who has been duly registered as a metropolitan gas and appliance contractor by the department of codes administration and has secured the required contractor's privilege license from the proper licensing authority of the metropolitan government and has provided proper bond and certificate of insurance. (Ord. 92-118 § 20, 1992; Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-110)

16.16.770 Issuance of certificates to existing contractors without examination—Requirements.

A. Within one hundred and twenty days after the effective date of the bill codified in this chapter, any person, partnership, firm or corporation desiring to do mechanical or gas work covered by this chapter that has held a valid Davidson County or an adjoining county business license for at least three years from the effective date of the bill codified in this chapter, for the purpose of engaging in mechanical or gas contracting, shall make application to the metropolitan board of gas/mechanical examiners and appeals for registration, in the appropriate classification as described in this code. Said applicant must show proof to the board, that a minimum of five systems have been installed or serviced within Davidson County in the last thirty-six months from the date of application, for the classification that the applicant is applying for, upon approval by the board. The board shall authorize the issuance of said certificate without examination upon the payment of the original certificate fee, providing proper bond and cer-

tificate of insurance. Said certificate holder's certificate to expire on September 30th of the following year (but not to exceed 15 months).

B. If the applicant is an individual, the board shall authorize the issuance of the certificate in the name of the individual. If the applicant is a partnership, firm or corporation, the board shall authorize the issuance of the certificate to the member of said partnership, firm or corporation most actively engaged in the actual gas/mechanical contracting phase of the business. Only one gas/mechanical certificate may be issued under the provisions of this section, for the benefit of any said partnership, firm, or corporation. Upon proper application, said person shall be registered as a master mechanical, HVAC&R or gas and appliance certificate holder as provided in this code. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-116)

16.16.780 Registration, bonding and insurance—Requirements.

A. It shall be the duty of every person desiring to engage in the business of gas/mechanical as a metropolitan gas/mechanical contractor to register, post bond and submit certificate of insurance, as required, with the department of codes administration.

B. Each party to a joint venture shall be duly registered as a master mechanical, HVAC&R or gas and appliance contractor in accordance with this section. Each party shall be registered as the same contractor type. In addition, each party to a joint venture shall sign all applications for gas/mechanical permits.

C. It shall be the responsibility of the master mechanical contractor, HVAC&R contractor, or gas and appliance contractor to furnish to the department of codes administration a permit bond in the amount of forty thousand dollars, conditioned to conform to the requirements of this chapter and all applicable laws, ordinances, rules, and regulations of the metropolitan government relating to work which is performed by the principal pursuant to a permit issued under this bond, or for work performed by the principal for which a permit should have been obtained prior to the commencement of such activity; and to indemnify the metropolitan government and property owners against any and all loss suffered by them by reason of the failure of such contractor to comply with such laws, ordinances, rules and regulations. Such bond shall be continuous and may not be canceled without at least ten days' prior notice, in writing, to the director of codes administration. The liability of the surety shall continue to attach to work performed pursuant to any permit issued prior to the termination date of the bond even if the noncomplying act should occur after the termination date of the bond. The liability of the surety for any and all claims, suits or action

under this bond shall not exceed the bond penalty of forty thousand dollars. Regardless of the number of years this bond may remain in force, the liability of the surety shall not be cumulative and the aggregate liability of the surety for any and all claims, suits or actions under this bond shall not exceed forty thousand dollars. The bond shall be issued by a U.S. Treasury-listed corporate surety or a Tennessee domestic insurance company on forms provided by the department of codes administration.

D. It shall be the responsibility of the master mechanical contractor, HVAC&R contractor or gas and appliance contractor to furnish to the department of codes administration a certificate of general liability insurance issued by a Tennessee-licensed company which provides a minimum of three hundred thousand dollars per occurrence combined single limits for bodily injury and property damage coverage. The certification of insurance must be submitted from a Tennessee-licensed company prior to renewal of the metropolitan contractor's certificate holder annual renewal. The insurance may not be canceled without at least thirty days' prior notice, in writing to the director of codes administration. (Ord. 94-1226 § 4, 1994; Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-117)

16.16.790 Duties of gas/mechanical contractors.

A. Every person holding a gas/mechanical contractor's registration shall conform strictly to the metropolitan gas/mechanical code, and applicable state laws such as the State Contractors and/or Home Improvement Laws.

B. No gas/mechanical work shall be begun until a permit has been obtained by the certificate holder unless an emergency condition exists, in which case a permit must be obtained the next working day.

C. Before any person, firm or corporation shall engage in the business of gas/mechanical contracting as herein defined, he shall comply with all other applicable Metro ordinances.

D. The gas/mechanical contractor shall register and shall notify in writing the following with the metropolitan department of codes administration or changes to the following:

1. Name of the business, business street address and zip code, local telephone or toll free number, and individual's name as required above;

2. Name of the certificate holder, business street address and zip code, and local telephone number where the certificate holder may be contacted during normal working hours.

E. It shall be the responsibility of the gas/mechanical contractor to immediately notify the board in writing of the death, termination of employment, or extended sickness of the certificate holder.

F. In the event of death, termination of employment, extended sickness, or revocation of the certificate of the certificate holder, the gas/mechanical contractor shall secure the services of another certificate holder. The gas/mechanical contractor's registration shall be suspended until a new certificate holder is employed, subject to an appeal before the board.

G. A registered gas/mechanical contractor shall not furnish permits for gas/mechanical work to any person, firm or corporation other than his own. All work done under any permit shall be performed under the supervision of the certificate holder who obtained the permit. Work cannot be subcontracted under any conditions to other than a master mechanical, HVAC&R or gas and appliance contractor who shall obtain his/her own permits.

H. Failure to comply with any of the duties listed above shall constitute grounds for suspension or revocation of the gas/mechanical contractor's registration. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-118)

16.16.800 Certification required for registration as contractor.

A. No person engaged in or desiring to engage in the business of gas/mechanical as a metropolitan gas/mechanical contractor shall be registered as such by the department of codes administration unless such person holds a current and valid certificate duly issued by the board of gas/mechanical examiners and appeals.

B. No person, firm, association or corporation, other than an individual holding a current and valid certificate, as set forth above, engaged in or desiring to engage in the business of gas/mechanical as a metropolitan gas/mechanical contractor, shall be registered as such by the department of codes administration unless such person, firm, association or corporation employs the services of an individual holding a current and valid certificate duly issued by the board of gas/mechanical examiners and appeals. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-120)

16.16.810 Revocation of registration— Grounds—Notice—Reinstatement.

A. The board of gas/mechanical examiners and appeals shall revoke or suspend a registration of any contractor upon positive proof that such person, firm or corporation:

1. Knowingly violated the provisions of this chapter or the rules and regulations of the board;
2. Practiced fraud or deception in making application for or obtaining such registration;
3. Is incompetent to perform a service to the public as a registered contractor;

4. Permit his registration to be used, directly or indirectly, by another person, firm or corporation to obtain or perform work or services;

5. Obtain permits for another person, firm or corporation to perform gas/mechanical work;

6. Worked as a gas/mechanical contractor prior to registration with the board after the grandfathering of existing contractors time period has expired;

7. Is guilty of such other unprofessional or dishonorable conduct of such nature as to deceive or defraud the public.

B. No action of the board to suspend or revoke a certificate of registration shall become final until the alleged offender has been given an opportunity to appear before the board to show cause as to why such action should not be taken.

C. Notice, in writing, of the proposed action of the board to revoke or suspend a certificate of registration shall be given to the holder of such certificate, stating the specific charges upon which such action is based. The notice shall stipulate that a hearing will be scheduled at a time and place set by the board for the aggrieved party to show cause why such action should not be made final. Such hearing shall not be held less than forty-eight hours following notice to the aggrieved party. Failure to appear before the board to answer the specific charges set forth in the notice shall be deemed just cause for final revocation or suspension of registration.

D. In the event registration is revoked by the board, an application for reinstatement of such registration shall not be accepted by the board within one year after the date of such revocation. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-119)

16.16.820 Contractor's eligibility for permits— Employment of certificate holder required.

A. In the event a metropolitan gas/mechanical contractor, as defined in Sections 16.16.740 through 16.16.760, should for any reason dispense with or otherwise fail to retain the services of a metropolitan certificate holder, then such metropolitan gas/mechanical contractor shall no longer be eligible to obtain gas/mechanical permits until such time as such gas/mechanical contractor shall employ the services of a certified certificate holder to supervise its work.

B. In all such instances, it shall be the duty of such metropolitan contractor to immediately notify the director of codes administration, in writing, of any change in the status or relationship of any certificate holder employed. It shall be the duty also of each metropolitan certificate holder employed by a metropolitan gas/mechanical con-

tractor to immediately notify the director of codes administration, in writing, of any change in employment or in his relationship with a metropolitan gas/mechanical contractor. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-121)

16.16.830 Stop work order—Issued for work authorized under certificate holder no longer employed.

In the event a metropolitan gas/mechanical contractor, as defined in Sections 16.16.740 through 16.16.760, shall cease to employ the services of a metropolitan certificate holder, the contractor shall notify the director of codes administration within forty-eight hours. Such gas/mechanical contractor shall no longer be entitled to secure permits. The director of codes administration may issue a stop work order for any work authorized and not completed under any permit issued to such contractor, if in the director's opinion conditions so require it, subject to an appeal by such contractor to the board of gas/mechanical examiners and appeals. Such notice shall be in writing and shall be delivered to such gas/mechanical contractor by registered mail or served personally on such contractor. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-122)

16.16.840 Display of license and advertising.

For display of license and advertising see Sections 16.16.850 and 16.16.860. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-130)

16.16.850 Vehicle identification requirements.

A. All trucks and similar vehicles used by contractors or their employees shall have conspicuously painted on the body of both sides of said vehicles, in any color in contrast to the color of the vehicle's body, one of two methods of identification stated below:

1. The full name of the firm to which it belongs, in lettering at least two inches high or;

2. The wording "Licensed Master Mechanical Contractor," "Licensed HVAC&R Contractor," or "Licensed Gas and Appliance Contractor," in lettering at least two inches high on the top line; the wording "No." in lettering at least two inches high and "[insert assigned number]" in lettering at least two inches high, on the second line; and the wording "Metro Nashville" in lettering at least one and one-half inches high on the third line.

B. In the event a contractor obtains a vehicle for temporary use, he will be permitted to identify said vehicle by placing on it in a clearly visible position on both sides, a temporary sign or letters to conform to the same requirements as the permanent lettering described in this section. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-130.1)

16.16.860 Advertisements must include certificate numbers and classification.

Any advertisement by a contractor, including but not limited to yellow pages and newspaper advertisement, shall include the certificate number of the certificate holder and classification. (Ord. 90-1253 § 1 (part), 1990: prior code § 19-1-130.2)

**Chapter 16.20
ELECTRICAL CODE**

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Article I. General Regulations

16.20.010 Purpose of provisions.

This chapter is declared to be remedial and shall be construed to secure the beneficial interest and purposes thereof, which are health, general public safety and welfare, by regulation of all electrical installations and electrical systems and all electrical system alterations, repairs, and maintenance. (Prior code § 14-1-1)

16.20.020 Scope.

The provisions of this chapter shall apply to every electrical installation and electrical system, both new and existing, including, but not limited to, all alterations, repairs, replacement and maintenance, and to all electrical devices, equipment, appliances, fixtures and appurtenances within the metropolitan government area when such are installed, or connected to, or designed, or intended to be connected to any public or private electrical supply system; provided,

that this chapter shall not be construed to apply to operations of the metropolitan government acting by and through the electric power board of the metropolitan government; provided further, that existing electrical installations which substantially comply with an electrical code in effect at the time those installations were installed and which are still in substantial compliance therewith shall not be required to be replaced by the enactment of this chapter, unless such electrical installations are hazardous to the surrounding properties or to the occupants of the building containing such electrical installations. (Prior code § 14-1-2)

16.20.030 Proper maintenance required—Owner's responsibility.

A. All electrical installations and electrical systems, both new and existing, and all parts thereof and appurtenances thereto, shall be installed and maintained as required by this chapter, in a safe and satisfactory condition.

B. All devices, equipment and safeguards required by this chapter shall be installed and properly maintained in a safe and satisfactory manner and in good working order. The owner or his designated agent shall be held responsible for the proper maintenance of all electrical installations and electrical systems. (Prior code § 14-1-3)

16.20.040 Installations—By homeowner.

Nothing in this chapter shall prevent any resident homeowner from installing or maintaining an electrical system within his own property boundaries, provided such electrical work is done by himself. Such privilege does not convey the right to violate any of the provisions of this chapter, nor is it to be construed as exempting any such homeowner from obtaining a permit and paying the required fees therefor. (Prior code § 14-1-4)

16.20.050 Installations—Restrictions.

Wires, other than wires incased in rigid iron conduit or steel tubing, shall not be installed in new buildings or structures until such buildings or structures are under roof and wires are not likely to suffer mechanical injury or to be exposed to the weather. (Prior code § 14-1-10)

16.20.060 Rules and regulations—Enforcement authority.

A. The director of codes administration shall have the power and his duty shall be to enforce, in the manner provided in this chapter, all laws, ordinances, rules and regulations relating to electrical installations and electrical systems as set forth in this chapter and any amendments thereto, and to promulgate such rules and regulations as may be deemed necessary for the effective enforcement of this chapter.

B. Such rules and regulations as may be promulgated by the director of codes administration shall be approved by the metropolitan board of electrical examiners and appeals, shall be approved by the metropolitan department of law as to form and legality and shall become effective upon written approval of the mayor. (Prior code § 14-1-5)

16.20.070 Additional requirements—Authority of director.

Any requirement deemed necessary for the safety, strength or stability of an existing or proposed electrical installation or electrical system or for the safety or welfare of the occupants of any building or structure, not specifically covered by the provisions of this chapter, shall be determined by the director of codes administration, subject to an appeal to the metropolitan board of electrical examiners and appeals. (Prior code § 14-1-11)

16.20.080 Inspection records—Open to public.

The director of codes administration shall keep or cause to be kept a record of the business activities of the electrical inspection section. Such records shall be open for public inspection during the normal office hours of the department of codes administration. (Prior code § 14-1-6)

16.20.090 Stop-work orders—Issuance—Exception.

A. When it is found by the director of codes administration or his duly authorized representative that any electrical installation is being made or that any electrical devices, equipment or fixtures required by this chapter are being installed without a duly issued permit, the director shall issue or cause to be issued a stop-work order.

B. When the director finds that an emergency exists, a written stop-work order shall not be required; and in such instances, oral notice to the owner, his agent or the person in charge of the work, by the director or his duly authorized representative, shall have the same force and effect as a written order. The stop-work order shall remain in effect until a permit has been duly issued. (Prior code § 14-1-7)

16.20.100 Revocation of permits or approval.

The director of codes administration may revoke an electrical permit or approval issued under the provisions of this chapter in the event there has been any false statement or wilful misrepresentations on which the permit or approval was based. In all such instances, where a permit has been revoked, the permit fee shall neither be refunded nor applied to any subsequent application for a permit. (Prior code § 14-1-8)

**16.20.110 Hazardous installations—
Abatement—Condemnation—
Discontinuance of service.**

A. Abatement. All electrical installations or electrical systems which are unsafe, which are dangerous to human life or which, in relation to existing or contemplated use, constitute a hazard to the safety or general welfare of the community, by reason of improper installation, inadequate maintenance, obsolescence or abandonment are declared to be illegal, and shall be abated by repair, replacement or removal.

B. Condemnation. All electrical installations and electrical systems and all devices, equipment, appliances, fixtures and appurtenances used for electrical purposes, which at any time become defective so as to be likely to cause fires or accidents and endanger lives or property, shall be condemned. When the director of codes administration or his duly authorized representative finds that it is necessary to condemn any electrical installation or equipment, notice shall be given the owner or user of such to have the same repaired and put in safe condition or removed from the premises. Upon failure to comply with such notice, the electrical inspector is authorized and directed to disconnect such wiring or equipment from the source of electrical energy or cause the same to be done.

C. Notice to Discontinue Service. Upon condemnation of any defective electrical installation or equipment, the director of codes administration or his duly authorized representative shall give notice to the public utility or person furnishing electric current to such defective installation or equipment to cease to supply current to the same until a written release is issued by the department of codes administration allowing current to be supplied or restored.

D. Failure to Discontinue Service. It is unlawful for a public utility or any other person to furnish or connect electric current to any electrical installation or system or to any electrical device, equipment, appliance, fixture or appurtenance which has been condemned and disconnected or in any manner rendered inoperative by an electrical inspector, or to use such wiring or equipment as a part of any electrical system until the same has been repaired, inspected and released by the electrical inspector. (Prior code § 14-1-9)

16.20.120 Interference with director prohibited.

It is unlawful for any person to interfere with the director of codes administration or his authorized representative in the discharge of any of the duties imposed upon him, expressly or impliedly, by this chapter. (Prior code § 14-1-13)

16.20.130 Failure to comply with chapter unlawful.

It is unlawful for any person to violate any provision of this chapter or fail to comply therewith or with any provisions thereof, or to violate a detailed statement or plans submitted and approved thereunder. (Prior code § 14-1-14)

Article II. Electrical Code

16.20.140 National Electrical Code—Adopted by reference.

A. The 1999 Edition of the National Electrical Code and Article 90 through Chapter 9 inclusive, and Appendices A, B, C and D inclusive are adopted and incorporated into this chapter as the technical section of the electrical code of the metropolitan government, by reference, as fully as though copied into this chapter.

B. The 1995 Edition of the CABO One and Two Family Dwelling Code, Chapter 39 through and including Chapter 46. (Ord. BL2000-243 § 1, 2000; Ord. 96-562 § 69, 1996; Ord. 96-321 § 1, 1996)

16.20.150 Amendments to the National Electrical Code.

A. Section 100(A) of the 1999 Edition of the National Electrical Code is amended by adding the following new definition:

Authority Having Jurisdiction. The Director of the Metropolitan Department of Codes Administration.

B. Section 110-26(f)(1)(a) of the 1999 Edition of the National Electrical Code is amended by deleting Section 110-26(f)(1)(a) and substituting the following:

(a). Dedicated Electrical Space. The space equal to the width and depth of the equipment and extending from the floor to a height of 6ft (1.83m) above the equipment or to the structural ceiling, whichever is lower, shall be dedicated to the electrical installation. No piping, ducts or equipment foreign to the electrical installation shall be located in this zone. No equipment within the scope of Article 384 and motor control centers, may be installed in any bathroom or within six (6) feet of any sink, basin or lavatory.

Exception: Equipment that is isolated from the foreign equipment by height or physical enclosures or covers that will afford adequate mechanical protection from vehicular traffic or accidental contact by unauthorized personnel or that complies with (b), shall be permitted in areas that do not have the dedicated space described in this rule.

C. Section 210-8(b) of the 1999 Edition of the National Electrical Code is amended by deleting Section 210-8(b) and substituting the following:

(b) Other than Dwelling Units. All 125-volt, single-phase, 15- and 20- ampere receptacles installed in the locations specified below shall have ground-fault circuit-interrupter protection for personnel.

- (1) Bathrooms
- (2) Rooftops
- (3) Within 6 feet (6') of a sink, basin or lavator

D. Section 210-19(a) of the 1999 Edition of the National Electrical Code is amended by deleting Section 210-19(a) and substituting the following:

(a) General. Branch-circuit conductors shall have an ampacity not less than the maximum load to be served. Where a Branch circuit supplies continuous loads or any combination of continuous and non-continuous loads, the minimum branch-circuit conductor size, before the application of any adjustment or correction factors, shall have an allowable ampacity equal to or greater than the non-continuous load plus 125 percent of the continuous load. Aluminum and copper-clad aluminum conductors shall not be used on any branch circuit wiring.

Exception: Where the assembly, including the overcurrent devices protecting the branch-circuit(s), is listed for operation at 100 percent of its rating, the ampacity of the branch-circuit conductors shall be permitted to be not less than the sum of the continuous load plus the non continuous load.

E. Section 210-52(a)(2)(a) of the 1999 Edition of the National Electrical Code is amended by deleting Section 210-52(a)(2)(a) and substituting the following:

(a) Any space 2ft (610 mm) or more in width (including space measured around corners) and unbroken along the floor line by doorways, fireplaces, and similar openings.

Exception: When a side swinging bedroom door opens 90 degrees and within 6" of a wall parallel to the 90 degree open door, the wall space behind the door may be increased to 4 feet when measured along the floor line from the hinge side of the door.

F. Section 210-52(b)(1) of the 1999 Edition of the National Electrical Code is amended by deleting Section 210-52(b)(1) and substituting the following:

(1) In the kitchen, pantry, breakfast room, dining room, or similar area of a dwelling unit, the two or more 20-ampere small appliance branch-circuits required by Section 210-11(c)(1) shall serve all receptacles outlets covered by Sections 210-52(a) and (c) receptacles outlets for refrigeration equipment. There shall not be more than two (2) receptacles installed on each small appliance branch-circuit.

Exception No 1: In addition to the required receptacles specified by Section 210-52, switched receptacles supplied

from a general-purpose branch circuit as defined in Section 210-70(a)(1), Exception No. 1, shall be permitted.

Exception No 2: The receptacle outlet for refrigeration equipment shall be permitted to be supplied from an individual branch circuit rated 15 amperes or greater.

G. Section 210-52(e) of the 1999 Edition of the National Electrical Code is amended by deleting Section 210-52(e) and substituting the following:

(e) Outdoor Outlets. Outdoor receptacles shall be installed in accordance with (1) through (3).

(1) One Family Dwelling. For a one-family dwelling (including townhouses) and each unit of a two-family dwelling that is at grade level, at least one receptacle outlet accessible at grade level and not more than 6½ ft (1.98) above grade shall be installed at the front and back of each dwelling unit. See Article 210-8(a)(3).

(2) Condominiums and Apartments. For condominiums and apartment units that are at grade level, at least one receptacle outlet accessible at grade level and not more than 6½ ft (1.98) above grade shall be installed at the front or back of each dwelling unit. See Article 210-8(a)(3).

(3) Patios, Balconies, or Decks. For one and two family dwellings, condominiums and apartment units with patios, balconies or decks, an outdoor receptacle outlet shall be installed adjacent to the door opening on to the patio, balcony, or deck.

H. Section 210-52(g) of the 1999 Edition of the National Electrical Code is amended by deleting Section 210-52(g) and substituting the following:

(g) Basements and Garages. For a one and two family dwelling (including townhouses), condominium and apartment units at least one receptacle outlet, in addition to any provided for laundry equipment, shall be installed in each basement, each attached garage and in each detached garage with electric power. See Articles 210-8(a)(2) and (a)(5). Where a portion of the basement is finished into a habitable room(s), the receptacle outlet required by this section shall be installed in the unfinished portion.

I. Section 210-52 of the 1999 Edition of the National Electrical Code is amended by adding the following new Section 210-52(i):

(i) Smoke Detectors.

(1) Dwelling Units and Sleeping Rooms. Approved single-station or multiple-station smoke detectors shall be installed in accordance with NFPA 72, Chapter 2, within every dwelling and every dwelling unit within an apartment house, condominium or townhouse, and every guest or sleeping room in a motel, hotel, dormitory, and sleeping rooms in residential care/assisted living occupancies. Where more than one detector is required to be installed within an individual dwelling unit, the detectors shall be

wired in such a manner that the actuation of one alarm will actuate all of the alarms in the individual unit.

(2) Locations Within Structures. In dwelling, dwelling units, dormitories, and sleeping rooms in residential care/assisted living occupancies, smoke detectors shall be installed in each sleeping room, outside of each separate sleeping area in the immediate vicinity of the bedrooms and on each additional story of the dwelling, including basements, cellars, and attached garages, but not including crawl spaces and uninhabitable attics.

Exception: Heat detectors may be substituted for smoke detectors in cellars and attached garages.

(3) Additional Split-Level Requirements. Within every dwelling and every dwelling unit within an apartment house, condominium or townhouse, and every guest or sleeping room in a motel, hotel, dormitory, and sleeping rooms in residential care/assisted living occupancies, with split levels, a smoke detector needs to be installed only on the upper level, provided the lower level is less than one full story below the upper level, except that if there is a door between levels, then a detector is required on each level. All detectors shall be interconnected such that actuation of one alarm will actuate all the alarms in the individual unit and shall provide an alarm which will be audible in all sleeping areas.

(4) Alteration, repairs and additions. When interior alterations, repairs, or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings or dwelling units, the entire dwelling unit shall be provided with smoke detectors located as required for new dwellings; the smoke detectors shall be interconnected and hard wired.

Exception: Detectors shall not be required to be interconnected and hard wired when the alterations, repairs or additions do not result in the exposure of electrical wiring by the removal of interior wall and ceiling finishes.

J. Section 230-70(a) of the 1999 Edition of the National Electrical Code is amended by deleting Section 230-70(a) and substituting the following:

(a) Location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure, or inside. The main service disconnecting means shall not be located more than five (5) feet from the point where the service conductors enter a building or other structure. Service disconnecting means shall not be installed in bathrooms.

K. Section 300-4(a) of the 1999 Edition of the National Electrical Code is amended by deleting Section 300-4(a) and substituting the following:

(a) Cables and Raceways Through Wood Members.

(1) Bored Holes.

(a) Joist and rafters. In both exposed and concealed locations, where a cable or raceway-type wiring method is installed through bored holes in joists and rafters, holes shall be bored so that the edge of the hole is not less than two (2) inches from the top or bottom of the joist or rafter and the diameter of any such hole shall not exceed one-third (1/3) of the actual depth of the joist or rafter.

(b) Studs. A hole not greater in diameter than forty (40) percent of the stud actual width may be bored in any wood stud. Bored holes not greater than sixty (60) percent of the actual width of the stud are permitted in nonbearing partitions or in any wall where each bored stud is doubled provided no more than two such successive double studs are bored. In no case shall the edge of the bored hole be nearer than five eighths (5/8) inch to the edge of the stud. Bored holes shall not be located at the same section of stud as a cut or notch.

(c) Protection. Holes bored less than 1 1/4 in. (31.8 mm) from the nearest edge of the wood member, the cable or raceway shall be protected from penetration by screws or nails by a steel plate or bushing, at least 1/16 in. (1.59 mm) thick, and appropriate length and width installed to cover the area of the wiring.

Exception: Steel plates shall not be required to protect rigid metal conduit, intermediate metal conduit, rigid non-metallic conduit, or electrical metallic tubing.

(2) Notches in wood.

(a) Joist and rafters. In both exposed and concealed locations, where cables or raceways are to be laid in notches in wood joist and rafters, notches on the ends of joists shall not exceed one-fourth (1/4) the actual depth of the joist. Notches for cables or raceways in the top or bottom of joists shall not exceed one-sixth (1/6) of the actual depth and shall not be located in the middle one-third (1/3) of the span.

(b) Studs. In exterior walls and bearing partitions, any wood stud may be cut or notched to a depth not exceeding twenty-five (25) percent of its actual width. Stud in nonbearing partitions may be notched to a depth not greater than forty (40) percent of the actual width of the stud is permitted in partitions supporting no loads other than the weight of the partition.

(c) Protection. In both exposed and concealed locations, cable, or raceways shall be permitted to be laid in notches in wood studs, joist, rafters, or other wood members where the cable or raceway at those points is protected against nails or screws by a steel plate or

bushing, at least 1/16 in. (1.59 mm) thick installed before the building finish is applied.

Exception: Steel plates shall not be required to protect rigid metal conduit, intermediate metal conduit, rigid nonmetallic conduit, or electrical metallic tubing.

L. Section 300-21 of the 1999 Edition of the National Electrical Code is amended by deleting Section 300-21 and substituting the following:

300-21 Penetrations of Fire Rated Assemblies.

(a) **Through Voids.** Electrical installation in hollow spaces, vertical shafts, and ventilation or air-handling ducts shall be made so that the possible spread of fire or products of combustion will not be substantially increased.

(b) **Through Materials.** Electrical penetration through fire-resistance-rated walls, partitions, floors or ceiling shall be protected by approved methods to maintain the fire-resistance rating of the element penetrated.

(c) **Openings for Outlet Boxes.** Openings in fire-resistance-rated walls or floor/ceiling assemblies for metallic electrical outlet boxes not exceeding 16 square inches are permitted provided the area of such openings does not aggregate more than 100 square inches for any 100 square feet of fire resistant wall area or floor/ceiling area or shaft enclosure wall area. Outlet boxes on opposite sides of a fire resistance-rated wall or shaft enclosure shall be separated by a horizontal distance of not less than 24 inches (610 mm).

Exception: Openings for electrical outlet boxes of any material are permitted provided such boxes are listed for use in fire resistant assemblies and are installed in accordance with their listing.

(d) **Apparatus Exceeding 16 Square Inches.** When walls, floors, ceilings and partitions are required to have a minimum 1-hour or greater fire resistance rating, service equipment, panels, panel boards, cabinets, switchboards and lighting fixtures that exceeds 16 square inches shall be so installed such that the required fire resistance will not be reduced.

Exception: Fixtures which are listed for such installation are permitted.

M. Section 3364 of the 1999 Edition of the National Electrical Code is amended by deleting Section 336-4 and substituting the following:

336-4. Uses Permitted. Type NM, Type NMC, and Type NMS cables shall be permitted to be used in the following:

- (1) One- and two-family dwellings.
- (2) Multifamily dwellings, except as prohibited in Article 336-5 and any social building or laundry room or building and other buildings of an apartment or condominium complex. Buildings with assembly rooms that have an occupant load of greater than 100 persons shall be considered a commercial building.
- (3) Cable trays, where the cables are identified for the use.

N. Section 336-5(a)(1) of the 1999 Edition of the National Electrical Code is amended by deleting Section 336-5(a)(1) and substituting the following:

- (1) Any commercial building, industrial building or other structures and multifamily dwelling unit buildings exceeding three floors.

For the purpose of this article, one additional level that is the first level and not designed for human habitation and used only for vehicle parking, storage, or similar use shall be permitted.

O. Section 422-16 of the 1999 Edition of the National Electrical Code is amended by adding the following new Section 422-16(b)(4):

- (4) Kitchen waste disposers, built in dishwashers, trash compactors, wall-mounted ovens, and counter-mounted cooking unit appliances, receptacles shall be on a separate branch circuit.

(Ord. BL2002-1142 § 22, 2002; Ord. BL2001-703 § 11, 2001; Ord. BL2000-343 § 2, 2000; Ord. 98-1445 § 74, 1998; Ord. 96-321 §§ 8—13, 1996; Ord. 93-570 §§ 2—7, 1993; Ord. 92-118 § 13 (part), 1992; Ord. 90-1253 § 1 (part), 1990; Ord. 89-1002 § 2, 1989; prior code §§ 14-1-29.2, 19-1-41.1.2 (part))

16.20.154 Amendments to the International Residential Code for One- and Two-Family Dwellings.

The following amendments, deletions or additions to the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings are hereby adopted by reference as fully as though copied into said dwelling code and thereby made a part of the dwelling code.

A. Section E3302.1 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section E3302.1 and substituting the following:

E3302.1 Notching and Drilling.

E3302.1.1 Notching joists and rafters. Notches on the ends of joists shall not exceed one-fourth (1/4) the actual depth. Notches for pipes in the top or bottom of joists shall not exceed one-sixth (1/6) of the actual depth and shall not be located in the middle one-third (1/3) of the span.

E3302.1.2 Notching studs. In the exterior walls and bearing partitions, any wood stud may be cut or notched to a depth not exceeding twenty-five percent (25%) of its actual width. Cutting or notching of studs to a depth not greater than forty percent (40%) of the actual width of the stud is permitted in nonbearing partitions supporting no loads other than the weight of the partition.

E3302.1.3 Protection at notches. The cable or raceway at those points is protected against nails or screws by a steel plate or bushing, at least 1/16 in. (1.59 mm) thick installed before the building finish is applied.

Exception: Steel plates shall not be required to protect rigid metal conduit, intermediate metal conduit, rigid nonmetallic conduit, or electrical metallic tubing.

E3302.1.4 Drilling joists and rafters. Holes bored for pipes or cable shall not be within two (2) inches of the top or bottom of the joist and the diameter of any such hole shall not exceed one-third (1/3) of the actual depth of the joist.

E3302.1.5 Drilling studs. A hole not greater in diameter than forty percent (40%) of the stud's actual width may be bored in any wood stud. Bored holes not greater than sixty percent (60%) of the actual width of the stud are permitted in nonbearing partitions or in any wall where each bored stud is doubled provided no more than two such successive double studs are bored. In no case shall the edge of the bored hole be nearer than five-eighths inch (5/8) to the edge of the stud. Bored holes shall not be located at the same section of stud as a cut or notch.

E3302.1.6 Protection at holes. Holes bored less than 1 1/4 in. (31.8 mm) from the nearest edge of the wood member, the cable or raceway shall be protected from penetration by screws or nails by a steel plate or bushing, at least 1/16 in. (1.59 mm) thick, and appropriate length and width installed to cover the area of the wiring.

Exception: Steel plates shall not be required to protect rigid metal conduit, intermediate metal conduit, rigid nonmetallic conduit, or electrical metallic tubing.

B. Section E3302.2 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section E3302.2 and substituting the following:

E3302.2 Penetrations of fire-resistance-rated assemblies. Through penetrations of fire-resistance-rated wall or floor assemblies shall comply with Sections E3302.2.1 or E3302.2.2.

Exception: Where the penetrating items are steel, ferrous or copper pipes or steel conduits, the annular space shall be permitted to be protected as follows:

1. In concrete or masonry wall or floor assemblies where the penetrating item is a maximum 6 inches (152

mm) nominal diameter and the opening is a maximum 144 square inches (92 900 mm²), concrete, grout or mortar shall be permitted where installed to the full thickness of the wall or floor assembly or the thickness required to maintain the fire-resistance rating.

2. The material used to fill the annular space shall prevent the passage of flame and hot gases sufficient to ignite cotton waste when subjected to ASTM E 119 time temperature fire conditions under a minimum positive pressure differential of 0.01 inch of water (3 Pa) at the location of the penetration for the time period equivalent to the fire-resistance rating of the construction penetrated.

E3302.2.1 Fire-resistance-rated assembly. Penetrations shall be installed as tested in the approved fire-resistance-rated assembly.

E3302.2.2 Penetration firestop system. Penetrations shall be protected by an approved penetration firestop system installed as tested in accordance with ASTM E 814, with a minimum positive pressure differential of 0.01 inch of water (Pa) and shall have an F rating of not less than the required fire-resistance rating of the wall or floor/ceiling assembly penetrated.

E3302.2.3 Membrane penetrations. Membrane penetrations shall comply with Section E3302.2.1. Where walls are required to have a minimum 1 hour fire-resistance rating, recessed light fixtures shall be so installed such that the required fire resistance will not be reduced.

Exceptions:

1. Steel electrical boxes that do not exceed 16 square inches (0.0103m²) in area provided the total area of such openings does not exceed 100 square inches (0.0645m²) for any 100 square feet (9.29m²) of fire resistant wall area.

Outlet boxes on opposite sides of the wall shall be separated as follows:

- 1.1. By a horizontal distance of not less than 24 inches, or

- 1.2. By a horizontal distance of not less than the depth of the wall cavity when the wall cavity is filled with cellulose loose-fill or mineral fiber insulation, or

- 1.3. By molded fire blocking, or

- 1.4. By other listed materials and methods.

2. Two-hour fire-resistance-rated nonmetallic electrical outlet boxes shall be installed in accordance with their listing.

C. Section E3302 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new Section E3302.4:

E3302.4 Smoke Detectors.

E3302.4.1 Residential units general. Approved single-station or multiple station smoke detectors shall be installed in accordance with NFPA 72, Chapter 2, within one and two family dwelling, and townhouses. Where more than one detector is required to be installed within an individual dwelling unit, the detectors shall be wired in such a manner that the actuation of one alarm will actuate all of the alarms in the individual unit.

E3302.4.2 Dwelling unit locations. In dwelling units, smoke detectors shall be installed in each sleeping room, outside of each separate sleeping area in the immediate vicinity of the bedrooms and on each additional story of the dwelling, including basements, cellars and attached garages, but not including crawl spaces and uninhabitable attics.

Exception: Heat detectors may be substituted for smoke detectors in cellars and attached garages.

E3302.4.3 Additional dwelling unit split-level locations. In dwelling units with split levels, a smoke detector need be installed only on the upper level, provided the lower level is less than one full story below the upper level, except that if there is a door between levels, then a detector is required on each level. All detectors shall be interconnected such that actuation of one alarm will actuate all the alarms in the individual unit and shall provide an alarm which will be audible in all sleeping areas.

E3302.4.4 Alteration, repairs and additions. When interior alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings or dwelling units, the entire dwelling unit shall be provided with smoke detectors located as required for new dwellings; the smoke detectors shall be interconnected and hard wired.

Exception: Detectors shall not be required to be interconnected and hard wired when the alterations, repairs or

additions do not result in the exposure of electrical wiring by the removal of interior wall and ceiling finishes.

D. Section E3305.4 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section E3305.4 and substituting the following:

E3305.4 Location of clear spaces. Required working space shall not be designated for storage. Panel boards and overcurrent protection devices shall not be located in clothes closets, bathrooms, or within six (6) feet of any sink or lavatory.

E. Section E3305.7 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section E3305.7 and substituting the following:

E3305.7 Headroom. The minimum headroom for working spaces for service equipment and panel boards shall be 6 1/2 feet (1981 mm). Where the electrical equipment exceeds 6 1/2 ft (1981 mm) in height, the minimum headroom shall be not less than the height of the equipment.

F. Section E3501.6.2 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section E3501.6.2 and substituting the following:

E3501.6.2 Service disconnect location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure, or inside. The main service disconnecting means shall not be located more than five (5) feet from the point where the service conductors enter a building or other structure. Service disconnecting means shall not be installed in bathrooms.

G. Section E3501.7 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section E3501.7 and substituting the following:

E3501.7 Maximum number of disconnects. The service disconnecting means shall consist of not more than six switches or six circuit breakers mounted in a single enclosure or in a group of separate enclosures of more than 225 amps. Service equipment shall have only one (1) main means of disconnecting services of 225 amps or less.

H. Section E3601.2 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section E3601.2 and substituting the following:

E3601.2 Branch-circuit and feeder ampacity. Branch-circuit conductors shall have an ampacity not less than the maximum load to be served. In addition, conductors of multi-outlet branch-circuits supplying receptacles for cord- and plug-connected portable loads shall have an ampacity of not less than the rating of the branch-circuit. Cable as-

semblies where the neutral conductor is smaller than the ungrounded conductors shall be so marked. Aluminum and copper-clad aluminum conductors shall not be used on any branch-circuit wiring.

I. Section E3801.2.2(1) of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section E3801.2.2(1) and substituting the following:

1. Any wall space that is 2 feet (610mm) or more in width, (including space measured around corners), and that is unbroken at the floor line by doorways, fireplaces, and similar openings. See Figure 3801.2.

Exception: When a side swinging bedroom door is open 90 degrees and within 6" of a wall parallel to the 90 degree open door, the wall space may be increased to 4 feet when measured along the floor line from the hinge side of the door.

J. Section E3801.2.3 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section E3801.2.3 and substituting the following:

E3801.2.3 Floor receptacles. Receptacle outlets in floors shall not be counted as part of the required number of receptacle outlets unless located within 18 in. (457 mm) of the wall. The receptacle outlets required, by this section, shall be in addition to any receptacle that is part of any lighting fixture or appliance, located within cabinets or cupboards, or located over 5 1/2 feet (1676 mm) above the floor.

Exception: Permanently installed electric baseboard heaters equipped with factory installed receptacle outlets, or outlets provided as a separate assembly by the baseboard manufacturer, shall be considered equivalent to the required outlets or outlets for wall space used by such permanently installed heaters. Such receptacle outlets shall not be connected to the heater circuits.

K. Section E3801.3 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section E3801.3 and substituting the following:

E3801.3 Small appliance receptacles. The two or more 20 ampere small appliance branch circuits required by Section E3603.2 shall serve all receptacle outlets, including refrigerating appliances, in the kitchen, pantry, breakfast room, dining room, or similar area of a dwelling unit. Such circuits, whether two or more are used, shall serve no other outlets. There shall not be more than two(2) receptacles installed on each small appliance branch-circuit.

Exceptions:

1. Receptacle outlets located in such rooms and areas to provide power for electrical wall clocks, gas fired cook-

ing appliances, and receptacle outlets located outdoors shall be supplied by the small appliance branch-circuits or by other branch-circuits.

2. Where located in such rooms and areas, receptacle outlets installed to supply only motor loads and switched receptacles outlets provided in lieu of lighting outlets shall not be required to be supplied by the small appliance branch-circuits.

L. Section E3801.7 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section E3801.7 and substituting the following:

E3801.7 Outdoor outlets. At least one receptacle outlet accessible at grade level shall be installed outdoors at the front and back of each dwelling unit having direct access to grade. For dwelling units with patios, balconies or decks, an outdoor receptacle outlet shall be installed adjacent to door opening on to the patio, balcony or deck.

M. Section 3808.7, Exception 1 and 2, of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section 3808.7, Exception 1 and 2 and substituting the following:

1. This section shall apply to existing branch-circuit installations only. New branch-circuit installations shall comply with Section 3808.9. For frames of electric ranges, wall-mounted ovens, counter-mounted cooking units, clothes dryers, and outlet or junction boxes that are part of the circuit for these appliances shall be grounded in the manner specified by Section 3808.10; or, except for mobile homes and recreational vehicles, shall be permitted to be grounded to the grounded circuit conductor if all of the conditions indicated in Section 3808.10 are met.

2. For separate buildings, in accordance with Section E3507.3.

N. Section E3903.10 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section E3903.10 and substituting the following:

E3903.10 Bathtub and shower areas. No parts of cord-connected fixtures, hanging fixtures, lighting track, pendants, or ceiling fans shall be located within a zone measured 3 ft. (914 mm) horizontally and 8 ft. (2.44 m) vertically from the top of the bathtub rim. No switches shall be located within this zone unless the fixture is protected by ground-fault circuit interrupter protection for personnel. This zone is all encompassing and includes the zone directly over the tubs and/or shower areas.

O. Section E4001.3 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Section E4001.3 and substituting the following:

4001.3 Flexible cords. Cord- and plug-connected appliances shall use cords suitable for the environment and physical conditions likely to be encountered. Flexible cords shall only be used where the appliance is listed to be connected with a flexible cord. Specific appliances have additional requirements as specified in Table 4001.3. The receptacles for the specific appliances contained in Table 4001.3 shall be on a separate branch-circuit. (See Section E3809).

P. Table E4001.3 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by deleting Table 4001.3 and substituting the following:

| Table 4001.3 | | |
|--------------------------------|---------------------|---------------------|
| FLEXIBLE CORD LENGTH APPLIANCE | | |
| | Minimum Cord Length | Maximum Cord Length |
| Appliance | (in) | (in) |
| Kitchen disposal | 18 | 18 |
| Built-in dishwasher | 36 | 48 |
| Trash Compactor | 36 | 48 |

Q. Section E4001 of the 2000 Edition of the International Residential Code for One- and Two-Family Dwellings is amended by adding the following new Section E4001.8:

E4001.8 Permitted to be cord- and plug-connected or permanently connected. Wall-mounted ovens and counter-mounted cooking units complete with provisions for mounting and for making electrical connections shall be permitted to be permanently connected or, only for ease in servicing or for installation, cord- and plug-connected. These cooking units shall be served by a separate branch circuit.

(Ord. BL2001-703 § 9, 2001; Ord. BL2000-343 § 3, 2000; Ord. 96-562 §§ 70—84, 1996)

Article III. Electrical Permits

16.20.160 Required when.

A. It shall be the duty of every person legally entitled to apply for and receive an electrical permit, to make application for and to obtain the required electrical permit from the department of codes administration prior to the installation of any electrical system or part thereof and prior to the connection of any such electrical installation or

electrical system to any public or private source of supply, and prior to the installation of any electrical device, equipment, appliance, or fixture, in any existing or proposed new electrical installation or system.

B. Nothing in this chapter shall be construed to prohibit, and no permits shall be required for, normal maintenance and minor repairs to an existing electrical system which does not involve the installation of new conductors. (Ord. 91-1558 § 5, 1991; prior code § 14-1-30)

16.20.170 Exemptions.

A. No electrical permit shall be required for electrical work performed for the state, the metropolitan government, or any city within the metropolitan government area when such electrical work is performed entirely within the right-of-way of a state highway or other public thoroughfare and the work is performed by a qualified maintenance electrician.

B. No electrical permit shall be required for low-voltage wiring in existing one- or two-family dwellings when the work consists of ten or fewer active or current utilization devices being installed except in dwellings that are not required to have fire separations of two hours or more.

C. No electrical permit shall be required for low-voltage wiring installed by a regulated communications utility company where the work performed by the utility is subject to jurisdiction and inspection by any federal or state agency. However, the department of traffic and parking is authorized under this section to obtain permits for traffic signal equipment installed in accordance with Section 16.20.170(A).

D. A “regulated communications utility company” means a communications utility company subject to the jurisdiction, regulation, and inspection of federal or state agencies, specifically including, but not limited to, the Tennessee Public Service Commission.

E. No electrical permit shall be required to maintain or repair low-voltage wiring. (Ord. 93-570 § 8, 1993; Ord. 91-1558 § 6, 1991; prior code § 14-1-31)

16.20.180 Application.

Application for an electrical permit shall be made in writing on forms provided by the director of codes administration. Each applicant entitled to receive an electrical permit shall be required to submit such information as may be deemed necessary to assure that the electrical installation or electrical system for which a permit is requested, when installed, shall comply with the requirements and provisions of this chapter. (Prior code § 14-1-34)

16.20.190 Registration requirements— Exceptions.

No permit for the installation of any electrical system, or part thereof, or the connection of any such electrical installation or electrical system to any public or private source of supply or the installation or repair of any electrical device, equipment, appliance or fixture required or governed by this chapter shall be issued to any person unless such person has been duly registered by the department of codes administration as a metropolitan electrical contractor, except as provided below:

A. A maintenance electrician shall not be authorized to obtain electrical permits.

B. Any person properly registered as an equipment installer under the provisions of Sections 6.20.200 through 6.20.240 shall be issued permits under this chapter to provide electrical branch circuits from an existing adequate electrical service to fixed, portable or stationary appliances sold and installed by such equipment installer.

C. Any person properly registered as a low-voltage contractor under the provisions of Article VI shall be issued permits under this chapter to provide one hundred thirty volt or less electrical branch circuits from an existing adequate electrical service to equipment sold and installed by a low-voltage contractor; provided, that such contractor shall register as a low-voltage installer in accordance with provisions of Article VI. (Ord. 91-1558 § 7, 1991; Ord. 90-1253 § 6, 1990; prior code § 14-1-32)

16.20.200 Homeowner permits—Prerequisites.

As a prerequisite to issuance of an electrical permit to an owner, the resident homeowner shall submit satisfactory evidence to the board of electrical examiners and appeals, either by written or oral examination, as to his knowledge and ability to make such installations. The type of work the resident homeowner is engaged in or has been engaged in that is related to electrical systems should be used as a guide as to the resident homeowner’s ability and knowledge and ability to make such installations. The resident homeowner shall have the right of appeal. (Prior code § 14-1-33)

16.20.210 Plans and specifications.

A. When it is found by the director of codes administration that detailed plans and specifications are necessary to define the nature and character of the work to be performed and to identify the type, grade and size of the materials, devices, equipment and fixtures to be installed, the applicant shall furnish such plans and specifications with the application for an electrical permit. Such plans shall be drawn to scale, and all plans and specifications shall be in duplicate.

B. All information submitted with the application for a permit and in the plans and specifications shall be specific; and this chapter shall not be cited as a whole or in part, nor shall the term “legal” or “equivalent” be used as a substitute for the specific information required. (Prior code § 14-1-35)

16.20.215 Plans prepared by others.

Failure on the part of third parties to correct known defects in plans or specifications prepared by others shall not relieve the electrical contractor, master electrician, equipment contractor, electrical equipment installer, low-voltage contractor, or low-voltage wiring installer of responsibility for reporting such known defects to the metropolitan electrical inspector. (Ord. 91-1558 § 8, 1991; prior code § 14-1-35.1)

16.20.220 Applications—Examination by director.

The director of codes administration shall examine or cause to be examined each application for a permit and the plans and specifications submitted therewith and shall determine by such examination whether the electrical installation, electrical system, device, equipment, fixtures, etc., as indicated and described, are in accordance with the provisions and requirements of this chapter and other pertinent laws and ordinances. (Prior code § 14-1-36)

16.20.230 Applications—Timely action required.

The director of codes administration shall act upon or cause to be acted upon an application for a permit with plans and specifications as filed therewith, or as such may be amended, without unreasonable or unnecessary delay. (Prior code § 14-1-37)

16.20.240 Reviewed plans—Procedure—Copy at jobsite.

Each set of the reviewed plans and specifications shall be properly marked “Reviewed,” with one set being returned to the applicant with the permit and one set being retained as a record in the office of the director of codes administration. A copy of the reviewed plans and specifications shall be kept on the job at all times during the progress of the work. (Ord. 95-1487 § 86 (part), 1995; prior code § 14-1-38)

16.20.250 Fees—Schedule.

A. No electrical permit shall be held valid until the fees prescribed in this section shall have been paid, nor shall an amendment or change to an existing permit be

approved until such additional fees, as may be due, shall have been paid.

B. In addition to any other penalty imposed for failure to obtain a permit where electrical work of any type, for which a permit is required, is commenced before a permit is issued, the permit fees shall be tripled.

C. Permit fees for the installation of any electrical system or part thereof, including but not limited to the installation of both new electrical systems and additions, alterations and repairs to existing electrical systems, the installation of electrical fixtures, equipment and devices and appurtenances thereto, shall be as follows:

1. Lighting circuits or any circuit where outlets are intended to be installed for low-voltage devices or lamp-holding devices and receptacles for the attachment of small, portable electrical devices and appliances; 130 volts or less:

a. For the installation of 10 or less such outlets \$ 4.50

b. For additional outlets over 10, each 0.40

2. Motors and generators:

One horsepower or less each 1.50

Over 1 and including 10 horsepower, each 6.00

Over 10 horsepower, each 10.50

Motor-generator sets 15.00

3. Electric ranges:

Residential, each 15.00

Commercial, each 18.00

4. Water heaters:

Residential, each 12.00

Commercial, each 15.00

5. Electric heat and electrically heated appliances other than ranges and water heaters:

Over 1 kw and including 5 kw, each 6.00

Over 5 kw and including 10 kw, each 10.50

Over 10 kw, each 15.00

6. Electric dryers:

Residential, each 7.50

Commercial, each 10.50

7. Electric signs (excluding service), each 15.00

8. Lunch wagons, bookmobiles, medical service vehicles, and similar structures on wheels, for lighting only 15.00

(Motors, appliances and devices installed in such lunch wagons and similar structures shall be charged the same rate as prescribed for such motors, appliances and devices.)

9. Service, new installation, increasing size, or relocation, per meter 9.00

10. Installation of any wiring, device, apparatus, appliance or equipment not specifically covered herein, such as but not limited to disconnects, 220 volt receptacles, each 6.00

11. Distribution, lighting or switch panels:

Up to and including 200 amperes, each 7.50

201 to 400 amperes, each 15.00

401 to 800 amperes, each 22.50

801 to 1600 amperes, each 37.50

1601 to 3000 amperes, each 60.00

3001 to 6000 amperes, each 112.50

Each additional 100 amperes or fraction thereof 2.25

12. Minimum fee 50.00

(Including permit for the installation of any electrical system or part thereof, including but not limited to the installation of both new electrical systems and additions, alterations and repairs to existing electrical systems, the installation of electrical fixtures, equipment and devices and appurtenances thereto, temporary services, etc.)

13. Reinspection fee 30.00

14. Service releases:

Residential, one-family or two-family, except condominium units, each service riser 50.00

Residential, more than two-family, and condominium units, each service riser 50.0

Commercial or industrial, each service riser 75.00

15. Emergency reconnection of service, each 75.00

(Ord. BL2004-175 § 3, 2004; Ord. 91-1583 § 1, 1991; Ord. 91-1558 §§ 9, 10, 1991; Ord. 91-1526 § 2, 1991; Ord. 89-821 §§ 1—3, 1989; prior code § 14-1-39)

16.20.260 Fees—Refunds.

A. Application for a refund of fees paid for any unused electrical permit issued under the provisions of this chapter shall be made on forms provided by the director of codes administration.

B. Refunds shall only be made for that portion of a fee exceeding fifty dollars. In no case shall any fee be refunded on any unused permit over six months old or when any inspection has been made, regardless of the fees paid. (Ord. 91-1526 § 3, 1991; prior code § 14-1-40)

16.20.270 Inspection required.

An electrical permit, as may be required for an addition, alteration or repair to an existing substandard building or structure, shall not be issued until such time as an inspection of the property has been made, under the provisions of Chapters 2.80, 2.88, 16.04, 16.08 and 16.24 through 16.56,

to determine the feasibility of rehabilitation of such building or structure. (Prior code § 14-1-41)

16.20.280 Additions to unlawful installations.

No electrical permit shall be issued to make additions to unlawful electrical installations or to installations in need of repairs. (Prior code § 14-1-42)

16.20.290 Additions to existing installations—Prerequisites.

No permit shall be issued to install additional wires, machinery, apparatus, devices, equipment or materials to existing installations until sufficient information has been furnished the director of codes administration that the installation is of ample size and capacity to safely carry the existing and added loads. If the installation is of ample size to safely carry the intended load, the department of codes administration may issue a permit; otherwise, the installation shall be made safe and the capacity increased before additional work is installed. (Prior code § 14-1-43)

16.20.300 Issuance.

Upon approval of the application for an electrical permit and the plans and specifications submitted therewith, the director of codes administration shall issue or cause to be issued a permit therefor to the applicant. (Prior code § 14-1-44)

16.20.310 Permit denial conditions.

In such instances where it has been determined that the application for a permit or the plans and specifications filed therewith do not conform to the requirements of this chapter or other pertinent laws and ordinances, an electrical permit shall be refused. The plans and specifications shall be returned to the applicant with a statement setting forth the reasons for such refusal. (Prior code § 14-1-45)

16.20.320 Interpretation—Limited authority.

A. The issuance of an electrical permit shall be construed as the authority to proceed only with the work specified and approved and shall not in any manner be construed as the authority to violate, cancel, alter, change or set aside any of the provisions of this chapter, nor to do or perform any work or make any installation not specifically covered by the approved plans and specifications upon which the permit was issued.

B. The issuance of a permit shall not prevent nor prohibit the director of codes administration from thereafter requiring the correction of errors or omissions in the plans and specifications or in the electrical installation or of violations of this chapter. (Prior code § 14-1-46)

16.20.330 Expiration—Extension.

A. Any electrical permit issued shall become invalid unless the work authorized by such permit shall have been commenced within six months after date of issuance or if the work so authorized is suspended or abandoned for a period of one year after the time the work is commenced.

B. The director of codes administration may, for justifiable cause, grant one or more extensions of time for periods not exceeding ninety days each. (Prior code § 14-1-47)

16.20.340 Nontransferability.

Permits issued under this chapter are not transferable from one contractor, one job, site or location to another, and any refunds shall be made in accordance with Section 16.20.260. This provision shall not prohibit the correction or change of addresses, location or contractor made through error on the application. (Ord. 98-1445 § 78, 1998)

16.20.345 Change in contractor—Reissuance of permit—Fees.

When a change in a contractor occurs before a job is completed, the contractor who obtains the permits shall notify the codes department in writing. A new permit shall be taken out for the unfinished construction. The contractor that completes the construction shall pay a prorata permit fee based upon the unfinished construction; but in no case, less than the minimum permit fee. (Ord. 98-1445 § 79, 1998)

Article IV. Inspections

16.20.350 Required when.

A. All new electrical installations and electrical systems and such portions of an existing electrical system as may be affected by new electrical installations or changes, for which a permit is required, shall be inspected to assure compliance with the requirements of this chapter and to assure that the installation and construction of the electrical system is in accordance with the approved plans and specifications.

B. No person shall furnish or connect electric current to the wires of any building or structure, either on the inside or outside of such building or structure, or to any machinery, appliance, device, equipment, fixture or material for which a permit is required until such have been inspected and approved. (Prior code § 14-1-49)

16.20.360 Temporary use of power pending inspection.

If the director of codes administration or his designated agent is unable to make proper inspection within twenty-

four hours after a request for such inspection, or where it is impracticable to complete the work without the use of current, the director may issue a release allowing the current to be supplied temporarily, pending further inspection. Unless all work is completed in strict conformity with this chapter, the director shall cause the current to be disconnected from the source of electrical energy. (Prior code § 14-1-50)

16.20.370 Notice when work ready for inspection.

It shall be the duty of the person to whom an electrical permit is issued to give reasonable advance notice to the department of codes administration when the electrical work for which a permit has been issued is ready for test and inspection. (Prior code § 14-1-51)

16.20.380 Inspection test—Permittee's responsibility.

It shall be the responsibility of the person to whom an electrical permit has been issued to assure that the electrical installation made will stand the test prescribed before making a request of the department of codes administration for test and inspection. (Prior code § 14-1-52)

16.20.390 Material and labor for tests—Permittee's responsibility.

The equipment, material, power and labor required for all electrical inspections and tests shall be furnished by the permittee. (Prior code § 14-1-54)

16.20.400 Notice of approval—When—Posted.

Upon satisfactory completion of the roughing-in inspection and testing of an electrical installation or electrical system, notice of approval of such installation shall be posted in a conspicuous place within the building. Such notice shall be dated and properly signed by the person making the inspection. (Prior code § 14-1-55)

16.20.410 Reinspections.

When the director of codes administration finds that the electrical installation does not pass the required inspection tests, the permittee shall be required to make the necessary changes and corrections and to submit the electrical installation to reinspection and testing. In all such instances where reinspections are deemed necessary, an additional fee of twenty-five dollars shall be paid for each reinspection required. (Ord. 91-1526 § 4, 1991; prior code § 14-1-53)

16.20.420 Notice of rejection.

A. In the event of failure of an electrical installation or electrical system to pass the required tests and inspection, written notice of such failure shall be given the permittee and an electrical-wiring-rejected notice shall be placed in a conspicuous place within the building pending a reinspection and testing, as provided in Section 16.20.410.

B. It is unlawful for any person to remove the electrical-wiring-rejected notice prior to completion of the reinspection testing and approval. (Prior code § 14-1-56)

16.20.430 Testing of existing defective systems.

When there is reason to believe that the electrical system of any building has become defective, it shall be subjected to an inspection and test prior to approval for further use. (Prior code § 14-1-59)

16.20.440 Certificate of approval—Issuance—Report of defective work.

A. Upon satisfactory completion and final inspection of the electrical system, a certificate of approval shall be issued by the director of codes administration, upon request of the permittee or owner.

B. The issuance of a certificate of approval of any wiring shall not relieve the electrical contractor, master electrician, equipment contractor, electrical equipment installer, low-voltage contractor, or low-voltage wiring installer of responsibility for any defective work which may have escaped the notice of the metropolitan electrical inspector. (Ord. 91-1558 § 11, 1991; prior code § 14-1-57)

16.20.450 Covering work prior to test prohibited.

A. No electrical installation, electrical system or part thereof shall be covered until it has been inspected, tested and approved as required by this chapter.

B. When any electrical installation, electrical system or part thereof has been covered prior to being inspected and tested, the director of codes administration shall require the same to be uncovered, in order that the necessary tests may be performed. (Prior code § 14-1-58)

**Chapter 16.24
PROPERTY STANDARDS**

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Article I. General Provisions

16.24.010 Title.

These regulations shall be known as the property standards code of the metropolitan government, hereinafter referred to as “this chapter.” (Ord. BL2001-585 § 1 (part), 2001)

16.24.020 Intent—Remedial.

This chapter is declared to be remedial, and shall be construed to secure the beneficial interests and purposes thereof, which are public health, safety, and welfare, through establishing and requiring minimum standards for the development, construction, use, occupancy, and main-

tenance of all buildings, structures and premises located within the area of jurisdiction of the Metropolitan Government of Nashville and Davidson County and establishing procedures for the repair, alteration, improvement, removal, and or demolition of dilapidated dwellings and structures located within the area of jurisdiction of the Metropolitan Government of Nashville and Davidson County. (Ord. BL2001-585 § 1 (part), 2001)

16.24.030 Definitions.

A. Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this chapter, have the meanings respectively ascribed to them by this chapter.

B. Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

C. Terms Defined in Other Codes. Where terms are not defined in this chapter and are defined in the metropolitan building code, fire code, zoning code, plumbing code, gas/mechanical code, ANSI A117.1 Handicap Code, energy code or the electrical code, such terms shall have the meanings ascribed to them as in those codes.

D. Terms Not Defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

E. Parts. Whenever the words “building,” “dwelling unit,” “dwelling,” “premises,” “structure,” “rooming house,” “rooming unit,” or “story” are stated in this chapter, they shall be construed as though they were followed by the words “or part thereof.”

F. Terms.

“Accessory building” or “Accessory structure” means a detached building or structure customarily incidental and subordinate to the principal building or structure located on the same lot.

“Accessory use” means a use of a building, structure, or premises, or part thereof, that is customarily incidental and subordinate to the principal use of the building, structure or premises and that occurs on the same lot as the principal use.

“And/or” in a choice of two code provisions, means that use of both or either provisions will satisfy the requirement of this chapter.

“Approved” means approved by the director.

“Basement” means that portion of a building or structure that is partly or completely below grade.

“Bathroom” means a room containing plumbing fixtures including a bathtub and or shower.

“Bedroom” means any room or space used or intended to be used for sleeping purposes.

“Board” or “board of appeals” means the metropolitan board of property standards and appeals.

“Building” means any structure that encloses a space used for sheltering any occupancy. Each part of a building separated from other parts by a firewall shall be construed as a separate building. The term, building, shall be construed as if followed by the words “or part thereof.”

“Building code” means the building code adopted by the Metropolitan Government of Nashville and Davidson County.

“Condemn” means to adjudge unfit for habitation, occupation, or use.

“Dilapidated building” or “dilapidated structure” means all buildings and or structures which, by reason of inadequate maintenance, dilapidation, abandonment, inadequate exits, unsanitary conditions, and or conditions that constitute a fire hazard, are unsafe and or are otherwise dangerous to human life and/or are unfit for human habitation, occupation, or use. This definition shall include all buildings and structures as may legally come within the scope of the definition of “building” and “structure” as set forth in this section.

“Director” means the director of the department of codes administration, or such other officers and employees of the department of codes administration as may be charged with the administration of this chapter, or the director’s duly authorized representative.

“Dwelling” means any building or structure, or part thereof, used and occupied for human occupation or use or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith.

“Dwelling unit” means a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. A dwelling unit shall be construed to include any accessory structure belonging thereto or usually enjoyed therewith.

“Electrical code” means the electrical code adopted by the metropolitan government.

“Energy code” means the energy code adopted by the metropolitan government.

“Enforcement officer” means the director of the department of codes administration and such other officers, employees, and other duly authorized representatives of the director as may be charged with the administration and enforcement of this chapter.

“Exterior property” means the open space on the premises and on adjoining property under the control of the owner, occupant, or operator of such premises.

“Extermination” means the control and elimination of insects, rats, and or other pests by: eliminating their har-

borage places, removing or making inaccessible materials that serve as their food, poison spraying, fumigating, and or trapping; or, by any other approved control or elimination method.

“Family” means for purposes of this chapter, an individual, or two or more persons related by blood, marriage or law, or, unless otherwise required by federal or state law, a group of not more than three unrelated persons living together in a dwelling unit.

“Fire code” means the fire prevention code and or life safety code as adopted by the metropolitan government.

“Fire wall” means a four-hour fire resistive wall, having protective openings, which restricts the spread of fire and extends continuously from the foundation to or through the roof, with sufficient structural stability under fire conditions to allow collapse of construction on either side without collapse of the wall.

“Garbage” means the animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food.

“Guard” means a building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

“Habitable space” means space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet rooms, closets, halls, storage spaces, utility spaces and similar areas are not considered habitable spaces.

“Imminent danger” means a condition that could cause serious or life-threatening injury or death, or significant property damage at any time.

“Infestation” means the presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

“Labeled” means devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol, or other identifying mark of a nationally recognized testing laboratory, inspection agency, or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

“Let for occupancy” or “let” means to permit, provide, or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, structure, or premise by a person or entity who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement, or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

“Occupancy” means the purpose for which a building or portion thereof is utilized or occupied.

“Occupant” means any individual living, sleeping, having possession of a space within, or operating in or on a building, structure, or premises.

“Openable area” means that part of a window, skylight or door which is available for unobstructed ventilation, egress or rescue and which opens from the inside to a full clear opening, without the use of a key or tool, directly to the outdoors.

“Operator” means any person who has charge, care, or control of a structure, building, or premises that is let or offered for occupancy.

“Owner” means any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court, and including every mortgagee of record.

“Parties in interest” means all individuals, associations, corporations, and others who have interests of record in a building, structure, or premises, and any who are in possession thereof.

“Place of public accommodation” means any building or structure in which goods are sold or supplied, or in which services are performed, or in which the trade of the general public is solicited.

“Plumbing” means all of the following supplied facilities and equipment: gas pipes, gas-burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catch basins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.

“Plumbing code” means the plumbing code adopted by the metropolitan government.

“Premises” means a lot, plot or parcel of land including any building or structure thereon. Such term shall be construed as if followed by the words “or part thereof.”

“Privacy” when used in this chapter, means an area or room which may be closed-off from other rooms with a solid door with a locking device thereon.

“Public authority” means any officer in charge of any department or branch of the metropolitan government or the state, relating to health, fire, building regulations or other activities concerning housing, buildings, structures or premises in the area under the jurisdiction of the metropolitan government.

“Roominghouse” means a building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

“Rooming unit” means any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

“Rubbish” means combustible and noncombustible waste materials, except garbage; the term shall include, but not be limited to, the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

“Structure” means any dwelling or place of public accommodation or vacant building or structure suitable as a dwelling or place of public accommodation. Also, that which is built or constructed, or part thereof.

“Substandard building” or “substandard structure” means a building, structure and/or premises that is used or designed or intended to be used as a habitable space, which does not meet the basic minimum requirements of this chapter for such use or occupancy, or for which a valid certificate of occupancy has not been issued.

“Supplied” means paid for, furnished or provided by or under the control of the owner or operator or the owner’s or operator’s agents or representatives.

“Tenant” means a person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

“Toilet room” means a room containing a water closet or urinal but not a bathtub or shower.

“Ventilation” means the natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

“Workmanlike” means executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

“Yard” means an open space on the same lot with a structure.

“Zoning code” means the zoning code adopted by the metropolitan government of Nashville and Davidson County. (Ord. BL2001-585 § 1 (part), 2001)

16.24.040 Scope.

The provisions of this chapter shall apply uniformly to the use, occupancy, maintenance, repair, alteration, and improvement of all existing residential and nonresidential buildings, structures, and premises located within the area of jurisdiction of the metropolitan government. (Ord. BL2001-585 § 1 (part), 2001)

16.24.050 Conflicts with other ordinances.

In any case where a provision of this chapter is found to be in conflict with a provision of any building, fire, safety, or health ordinance or code of the metropolitan government, the provision that establishes the higher standard for the promotion and protection of the public health, safety, and welfare shall prevail. (Ord. BL2001-585 § 1 (part), 2001)

16.24.060 Unlawful acts.

It shall be unlawful for a person, partnership, firm, corporation, or entity whatever to be in conflict with or in violation of any provision of this chapter. (Ord. BL2001-585 § 1 (part), 2001)

16.24.070 Enforcement—Additional rules and regulations.

The director of the department of codes administration (“the director”), such other officers and employees of the department of codes administration (“the department”) as may be charged with the administration of this chapter, and any duly authorized representative of the director are designated and appointed to exercise the powers prescribed by this chapter, except those powers that are given to the metropolitan board of property standards and appeals as set forth herein below. The director, in addition to such other powers as the director may be given, is authorized to adopt and publish rules and regulations, not inconsistent with this chapter, which will conveniently effectuate its purposes and secure compliance with its provisions. Such rules and regulations as are from time to time published shall become effective when approved by the mayor. (Ord. BL2001-585 § 1 (part), 2001)

16.24.080 Reserved.

16.24.090 Severability.

If a section, subsection, sentence, clause, or phrase of this chapter is, for any reason, held to be unconstitutional or unenforceable, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. BL2001-585 § 1 (part), 2001)

Article II. Inspections

16.24.100 Authority to inspect buildings, structures, and premises.

A. The director is authorized to make inspections to determine the condition of all existing buildings, structures, and premises located within the area of jurisdiction of the metropolitan government in order that the director may perform the director’s duty of safeguarding the health,

safety, and welfare of the occupants of such buildings, structures, and premises and the general public.

B. All buildings, structures, and premises intended for human habitation, occupation, or use shall be inspected for compliance with this chapter. Such inspections, other than those identified in subsection C of this section, shall be made according to a planned, systematic property standards code compliance program when so adopted by resolution of the metropolitan council.

C. Inspections shall be made: upon a complaint being filed with the department, except that in the case of a dwelling or structure alleged to be unfit for human occupation or use, the complaint of five citizens or the MDHA is required, or any other public authority; may be made upon a request for special inspection; and, may be made upon a visual observation of a possible violation of this chapter by anyone authorized to enforce this chapter. (Ord. BL2001-585 § 1 (part), 2001)

16.24.110 Right of entry for inspections.

A. The director shall enforce the provisions of this chapter and may enter, upon presentation of proper identification to the owner, occupant, or person in control thereof, any building, structure, or premises within the area of jurisdiction of the metropolitan government to perform any duty imposed upon him by this chapter, except in cases of vacant structures, where emergency circumstances do not exist. Such entry for the purpose of making any inspection required in this chapter shall be made during reasonable hours, so as to cause the least inconvenience to the occupants thereof, unless emergency circumstances exist.

B. It is unlawful for any person, whether owner, occupant, or party in control of the building, structure, or premises, to refuse the entry of the director or any of the director’s duly authorized representatives or to interfere in any manner in the performance of the duties imposed upon the director by this chapter. (Ord. BL2001-585 § 1 (part), 2001)

16.24.120 Inspection of dilapidated dwellings, buildings, and structures.

No building, plumbing, electrical, gas, mechanical, or other permit shall be issued to allow for the repair, alteration, or improvement of an existing dilapidated dwelling, building, or structure until an inspection has been made to determine the feasibility of rehabilitating such dwelling, building, or structure. (Ord. BL2001-585 § 1 (part), 2001)

16.24.130 Certificate of occupancy required.

It is unlawful to acquire utility services (electric, water, gas, or sewer), either public or private, to serve any vacant

dilapidated or substandard building or structure, or part thereof, or any existing dilapidated or substandard building or structure, or part thereof, becoming vacant, until such time as the building or structure has been brought into compliance with this chapter and a valid certificate of occupancy, as required by Chapter 16.36 of this code, has been issued. The director is authorized to approve the acquisition and provision of temporary utility services for a building or structure, or part thereof, for which a valid building permit has issued. The duration of the provision of the temporary utility services should coincide with the expiration date of the underlying building permit. The permittee shall be responsible for acquiring permanent utility services in conjunction with a valid permanent use and occupancy permit. (Ord. BL2001-585 § 1 (part), 2001)

16.24.140 Issuance of temporary certificates of occupancy.

No person shall occupy, let, or offer to let to another for occupancy or use, any building, structure, or premises, or part thereof, which does not comply with the provisions of this chapter and for which a certificate of occupancy, as required by Chapter 16.36 of this code, has not been issued. The director may issue a temporary certificate of occupancy for a specified period of time, when in the director's opinion a part, or parts, of a building, structure, or premises may be safely occupied prior to final completion. (Ord. BL2001-585 § 1 (part), 2001)

16.24.150 Inspection fees.

A. The director may adopt a fee schedule, subject to approval by resolution of the metropolitan council, in order to carry out the intent of this section. Fees not collected for such inspections shall become a lien against the real property as provided by law. The director is authorized to waive the fee for any person certified as indigent and for an inspection resulting from a complaint when such inspection reveals no violation or cause of action.

B. Whenever a request is made for an inspection of a residential building, structure, or premises to determine whether it complies with this chapter for any Federal Housing Administration or Veterans' Administration Loan Commitment, or any other request of a similar nature involving preparation of a special report, an initial filing fee in the amount of one hundred dollars shall be paid to the department of codes administration at the time the request is made. If the building, structure, or premises fails to pass the first inspection, an additional fee of twenty-five dollars will be required for each succeeding inspection. The above fees apply to residential buildings, structures, or premises containing one or two dwelling units, only. An additional fee of ten dollars per dwelling unit shall be paid for the

initial inspection of such residential buildings, structures, or premises exceeding two units. An additional fee of five dollars per dwelling unit shall be paid for each succeeding inspection of such residential buildings, structures or premises exceeding two units. When a fee has been paid pursuant to this subsection, it shall not be refundable for any reason whatever. The fee shall be for the purpose of defraying the costs of making an inspection, preparing a report, administrative costs, and any related costs. (Ord. BL2001-585 § 1 (part), 2001)

Article III. Enforcement

16.24.160 Existing remedies.

The provisions in this chapter shall not be construed to abolish or impair existing and future remedies of the jurisdiction, its officers, or agencies relating to the removal or demolition of any building or structure that is dangerous, unsafe, and or unsanitary. (Ord. BL2001-585 § 1 (part), 2001)

16.24.170 Notice of violation.

A. The director or duly authorized representative shall serve notice of violation of this chapter, except when a dwelling or structure has been determined to be unfit for occupation or use, when there is a repeat violation, or when emergency circumstances exist.

B. Whenever the director determines that there has been a violation of this chapter or has grounds to believe that a violation has occurred, a notice of violation shall be provided to the owner, occupant, or person or entity in control of the building, structure, or premises where the violation or alleged violation exists. Should the director determine that cumulative violations exist so as to render a dwelling or structure, as defined at Tennessee Code Annotated Title 13, Chapter 21, unfit for human habitation, occupation, or use, notice and enforcement of this chapter shall be as prescribed in Article VI of this chapter. Otherwise notice shall:

1. Be in writing;
2. Include a description of the building, structure or premises sufficient for identification;
3. Include a statement of the violation(s);
4. Include an order to correct allowing a reasonable time to make the repairs and/or improvements required to bring the building, structure, or premises into compliance with this chapter;
5. Be personally delivered by the director or sent by certified or first-class mail addressed to the last known address; and
6. If notice sent by certified or first class mail is returned showing that the letter was not delivered, a copy

thereof shall be posted in a conspicuous place in or about the building, structure, or premises affected by such notice. (Ord. BL2001-585 § 1 (part), 2001)

16.24.180 Prosecution of violation.

If the notice of violation is not complied with, the director or duly authorized official shall institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the building, structure, or premises in violation of the provisions of this chapter. Any person or entity failing to comply with a notice of violation served in accordance with this chapter shall be deemed guilty of a misdemeanor and the violation shall be deemed a strict liability offense. (Ord. BL2001-585 § 1 (part), 2001)

16.24.190 Prosecution of repeat violation.

Whenever the director determines that there has been a repeat violation of this chapter or has grounds to believe that a repeat violation has occurred, the director may, upon the director's discretion, elect to forego the issuance of a notice of violation and immediately institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the building, structure, or premises in violation of this chapter. (Ord. BL2001-585 § 1 (part), 2001)

16.24.200 Violation—Penalties.

Any person or entity that shall violate a provision of this chapter, or fail to comply with any of the requirements thereof, shall be prosecuted within the limits provided by state and or local law. Each day that a violation continues shall be deemed a separate offense. (Ord. BL2001-585 § 1 (part), 2001)

16.24.210 Historic buildings.

The provisions of this chapter shall not be mandatory for existing buildings or structures designated by the state or the metropolitan government as historic buildings or structures when such buildings or structures are judged by the director to be safe and when application of lesser or varying standards is deemed to further the interests of the public, health, safety, and welfare. (Ord. BL2001-585 § 1 (part), 2001)

16.24.220 Workmanship.

Repairs, alterations, improvements, installations, and maintenance work caused directly or indirectly by the enforcement of this chapter shall be executed in a workmanlike manner. Installations caused directly or indirectly

by the enforcement of this chapter shall be made in accordance with the manufacturer's instructions, if any. (Ord. BL2001-585 § 1 (part), 2001)

16.24.230 Alternative materials, methods, and equipment.

This chapter is not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this chapter, provided that the director has approved any such alternative. The use of any alternative material or an alternative method of construction shall be approved where the director finds that the proposed design is satisfactory and complies with the intent of the provisions of this chapter, and that the material, method of construction, or work offered is, for the purpose intended, at least the equivalent of that prescribed in this chapter in quality, strength, effectiveness, fire resistance, durability and safety. (Ord. BL2001-585 § 1 (part), 2001)

Article IV. Emergency Circumstances

16.24.240 Emergency measures—Imminent danger.

When, in the opinion of the director, there is imminent danger of failure or collapse of any building or structure, or part thereof, which endangers life, or when any building or structure or part of any building or structure has failed or collapsed so as to be an imminent threat to the public health, safety, or welfare, and or life is endangered by the occupation or use of any building or structure, or when there is actual or potential danger to any building's or structure's occupants, or when there is actual or potential danger to persons, buildings, or structures in close proximity of any building or structure, resulting from the instability of any building or structure, or the presence of explosives, explosive fumes or vapors, toxic fumes, toxic gases or materials, or defective or dangerous equipment that is operating, the director is hereby authorized and empowered to order and require the occupants to vacate the building, structure, or premises forthwith, to order and require temporary safeguards be expeditiously employed, to order and require emergency repairs, and or to cause such building or structure to be demolished pursuant to Section 16.52.080 of this code. In addition, the director may cause to be posted at each entrance to such building, structure, or premises a notice reading as follows: "This Building Is Unfit for Human Habitation, Occupation or Use. The Use or Occupancy of This Building is Unlawful and Prohibited by Order of the Director of the Department of Codes Administration." It shall be unlawful for any person to enter such building or structure except

for the purpose of securing the structure, making required repairs, removing the hazardous condition, or demolishing the same. (Ord. BL2001-585 § 1 (part), 2001)

16.24.250 Temporary safeguards.

Notwithstanding other provisions of this chapter, whenever, in the opinion of the director, there is imminent danger due to an unsafe condition, the director may order that necessary safeguards be instituted, including the boarding-up of openings, and may cause such other action to be taken as the director deems necessary to meet such emergency and render such building or structure temporarily safe, whether or not the legal procedures herein described have been instituted. The order requiring temporary safeguards shall notify the recipient of the right to appeal the decision of the director within twenty days after completing the required temporary safeguards. For the purposes of this article, the director shall employ the necessary labor and materials to perform the required work as expeditiously as possible. (Ord. BL2001-585 § 1 (part), 2001)

16.24.260 Emergency repairs.

Notwithstanding other provisions of this chapter, whenever, in the opinion of the director, there is imminent danger due to an unsafe condition, the director may order that emergency repairs be made and may cause such other action to be taken as the director deems necessary to meet such emergency and render such building or structure temporarily safe, whether or not the legal procedures herein described have been instituted. The order requiring emergency repairs shall notify the recipient of the right to appeal the decision of the director within twenty days after the completing of the required emergency repairs. For the purposes of this article, the director shall employ the necessary labor and materials to perform the required work as expeditiously as possible. (Ord. BL2001-585 § 1 (part), 2001)

16.24.270 Costs of temporary safeguards or emergency repairs.

The metropolitan government shall initiate appropriate action against the owner of the unsafe building, structure, or premises for the recovery of such costs as it incurred in rendering an unsafe structure, building, or premises safe by undertaking temporary safeguards and or emergency repairs. (Ord. BL2001-585 § 1 (part), 2001)

16.24.280 Hearing.

Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the metropolitan board of property standards and appeals, be afforded a

hearing. The affected person shall have twenty days from the date of the completing of the emergency measures to file a petition for appeal to the board of property standards and appeals. Otherwise, the procedure and hearing shall be as hereinafter described in this chapter. (Ord. BL2001-585 § 1 (part), 2001)

16.24.290 Closing streets.

When necessary for public safety, the director shall order the appropriate authority to close, sidewalks, streets, public ways, or places adjacent to unsafe buildings, structures, and/or premises. (Ord. BL2001-585 § 1 (part), 2001)

Article V. Minimum Standards for Buildings, Structures, and Premises

16.24.300 Scope.

The provisions of this article shall govern the minimum standards, conditions and responsibilities of persons or entities that own, occupy, operate or otherwise control any residential or nonresidential building, structure, or premises, under the jurisdiction of Metropolitan Nashville and Davidson County, including the maintenance of equipment, exterior property, and the exteriors and interiors of buildings and structures. (Ord. BL2001-585 § 1 (part), 2001)

16.24.310 Responsibility.

The owner of the premises shall fully maintain the buildings, structures and premises in compliance with these requirements, except as otherwise provided for in this chapter. An owner shall not occupy or permit another person to occupy a building, structure, or premises which is not in a safe, clean, and sanitary condition and or which does not comply with the requirements of this chapter. Any occupant of a building, structure, or premises, or part thereof, and any person or entity that operates in, on, or otherwise controls any building, structure, premises, or part thereof, is responsible for keeping that part of the building, structure, or premises, which they occupy, operate in or on, or otherwise control, in a safe, clean, and sanitary condition in compliance with this chapter. (Ord. BL2001-585 § 1 (part), 2001)

16.24.320 Vacant buildings and structures.

All vacant buildings, structures, and the premises thereof, shall be maintained in a safe, clean, and sanitary condition as provided herein so as not to cause blight and or otherwise adversely affect the public health, safety, or welfare. (Ord. BL2001-585 § 1 (part), 2001)

16.24.330 Exterior property areas.

A. Sanitation. All exterior property and premises shall be maintained in a safe, clean, and sanitary condition. The occupant of a building, structure, or premises, or part thereof, shall keep that part of the exterior property and premises that such occupant occupies or controls in a safe, clean, and sanitary condition.

B. Open Storage. Except as otherwise provided for in the zoning code, it is unlawful for the owner, occupant, or person or entity in control of a building, structure or premises to utilize the premises of such property for the open storage of any: inoperable, unlicensed, or unregistered motor vehicle; appliance; building material, including glass, brick, stone, block, wood, metal; rubbish; tires; automotive parts; or debris, including but not limited to weeds, dead trees, trash, rubbish, garbage, etc., or similar items. It shall be the duty and responsibility of every such owner or occupant to keep the premises in a safe, clean, and sanitary condition and to remove from the premises all such stored items upon notice from the director.

C. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any building or structure located thereon.

Exception: Approved retention or detention areas or reservoirs.

D. Sidewalks and Driveways. All sidewalks, walkways, stairs, driveways, parking spaces, and similar areas shall be kept in a proper state of repair, shall be maintained free from hazardous conditions, and shall be kept in a safe, clean, and sanitary condition.

E. High Weeds. All premises and exterior property shall be maintained free from weeds in excess of twelve inches so as not to endanger the health, safety, and welfare of the citizens of the metropolitan government. "Weeds" shall be defined as all grasses, annual plants and vegetation, other than ornamental grasses, trees or shrubs; provided, however, this term shall not include cultivated flowers and gardens. Properties in a natural state may be allowed if an intentional design for vegetative growth is on file with the metropolitan beautification commission, provided there is a fifteen foot setback from the front property line and a ten foot setback from any adjacent residential property line. All government-owned greenways, parks, and recreation areas shall be exempt for the provisions of the section.

F. Rodent Harborage. All buildings, structures and exterior property shall be kept free from rodent harborage and infestation and conditions that promote or support rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by process that is approved and that is not injurious to human health. After

extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.

G. Exhaust Vents. Exhaust pipes, ducts, conductors, fans, vents, or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

H. Accessory Structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound, in good repair, and in an otherwise safe, clean, and sanitary condition.

I. Gates. Gates which are required to be self-closing and self-latching, in accordance with the Building Code shall be maintained such that the gate will positively close and latch when released from a still position of six inches from the gatepost.

J. Swimming Pools. Swimming pools shall be maintained in a safe, clean, and sanitary condition, and in good repair.

K. Motor Vehicles.

1. Except as provided for in the zoning code, no inoperable or currently unregistered motor vehicle shall be openly parked or stored on any premises within the area of the metropolitan government. Furthermore, no vehicle shall be at any time in a state of major disassembly or disrepair, nor shall it be in the process of being stripped or dismantled, nor shall it undergo a major overhaul, including body work, on any private property within the area of the metropolitan government. This section shall not apply to a motor vehicle on the premises of a business enterprise involved solely in the repair, renovation or servicing of motor vehicles, or a vehicle inside a structure or similarly enclosed area designed and approved for such purposes.

2. Except as provided in subsection (K)(1), the parking, storage, or accumulation of an inoperable or unregistered motor vehicle on any premises within the area of metropolitan government, the disassembly, stripping, dismantling, or major overhaul, including body work, of any motor vehicle, or the parking or storage of any motor vehicle in a state of major disrepair on any private property within the area of the metropolitan government, shall constitute a nuisance detrimental to the health, safety and welfare of the inhabitants of the area of the metropolitan government. It shall be the duty of the registered owner of the motor vehicle, the owner of record of the property, or the person in possession of the private property upon which the motor vehicle is located, to abate the nuisance through the removal of the motor vehicle from the area of the metropolitan government, or to have the motor vehicle stored inside a fully enclosed structure or similarly enclosed area designed and approved for such purposes.

3. Every motor vehicle located on private property shall be either stored inside a fully enclosed structure or similarly enclosed area designed and approved for such purposes, or parked or stored in a safe manner on a paved or graveled area, other than a sidewalk. Such paved or graveled parking area for private residential property shall not exceed twenty-five percent of the total lot area. In any case where this provision is found to be in conflict with any provision included in Title 17, Zoning, of the metropolitan code of laws, the zoning provision shall prevail. This subsection shall not be applicable to any vehicle for which a valid handicapped license plate has been issued and is displayed on the vehicle.

4. Painting of motor vehicles is prohibited unless conducted inside an approved spray booth.

L. Except as otherwise provided in the metropolitan zoning code, fences shall be constructed using only the following materials:

1. Woven wire or chain link;
2. Wrought iron;
3. Wood, vinyl, steel, or aluminum slats of no more than one inch by six inches in width hung vertically, horizontally, or diagonally between steel, wood, or vinyl posts no further than ten feet apart;
4. Masonry consisting of brick, concrete block, split-face block, dry-stack stones, or stones and mortar;
5. Plastic or other synthetic material treated in a manner to maintain the fence in good structural condition and with an appearance that is aesthetically compatible with the type of fence it represents;
6. Decorative-type split rail or dry-stack stone may be used for decorative fences.

M. Metal fences shall consist of materials manufactured and/or treated in a manner to prevent rust or corrosion. Wood fences shall be painted, stained or preserved in a manner to maintain the fence in good structural condition. All fences shall be maintained in a manner to preserve the structural integrity and appearance of the fence, including, but not limited to, the replacement of broken boards or sections and preventing paint from peeling.

N. The provisions of subsections L and M shall not apply to temporary construction fencing, temporary tree protection fencing, temporary festival fencing, fencing around a place of incarceration, or to any fence located on property in the AR, AG, R80 or RS80 zoning districts as designated on the official zoning map of the metropolitan government.

O. Barbed wire and razor wire fencing shall be prohibited in all residential zoning districts unless the property satisfies all of the requirements of Section 17.16.330 of the metropolitan zoning code regarding the keeping of domestic animals/wildlife on the property and all neces-

sary permits have been issued. (Ord. BL2005-505 § 3, 2005; Ord. BL2004-427 § 2, 2004; Amdt. 1 with Ord. BL2004-346 § 1, 2004; Amdt. 1 with Ord. 2002-1052 § 1, 2002; Ord. BL2001-585 § 1 (part), 2001)

16.24.340 Exteriors of buildings and structures.

A. General. The exterior of a building or structure shall be maintained in good repair, structurally sound, and in a clean and sanitary condition so as not to pose a threat to the public health, safety, or welfare.

B. Protective Treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking, and or chipped paint shall be eliminated and the underlying surfaces shall be protected from the elements and decay by paint or other protective covering or treatment. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors, and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from

exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

C. Premises Identification. All buildings and structures within Metropolitan Nashville and Davidson County shall have approved address numbers posted in accordance with following:

1. Residences are to have their numbers at least three inches in size, on a contrasting background, and in a position to be plainly visible and legible from the street or road fronting the property. The numbers may be attached to the residence or the mailbox, if the mailbox is next to the street.

2. Numbers posted on the outside of nonresidential buildings must be six inches, or larger, on a contrasting background, and in a position to be plainly visible and legible from the street or road fronting the premises. Numbers posted on interior doors or spaces (such as a lease space in a mall) must be at least three inches in size.

3. Multifamily buildings shall have their numbers displayed to be plainly visible and legible, on a contrasting background, and a minimum size of six inches in height. Identifying numbers, at least three inches in height shall also be posted on or at the doors of individual dwelling units.

D. Structural Members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

E. Foundation Walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

F. Exterior Walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials, and shall be maintained weatherproof and properly surface coated where required to prevent deterioration.

G. Roofs and Drainage. The roof and flashing shall be sound, tight, and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the building or structure. Roof drains, gutters, and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

H. Decorative Features. All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

I. Overhang Extensions. All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and shall be properly anchored so as to be in a sound condition. When required,

all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or other appropriate surface treatment.

J. Stairways, Decks, Porches and Balconies. Every exterior stairway, deck, porch, and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage, and shall be capable of supporting the imposed loads.

K. Chimneys and Towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements, decay, and or rust by periodic application of appropriate weather coating materials, such as paint or similar surface treatment.

L. Handrails and Guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

M. Window, Skylight and Door Frames. Every window, skylight, door and frame shall be kept in sound condition, good repair, and weather tight.

N. Glazing. All glazing materials shall be maintained free from cracks and holes.

O. Openable Windows. Every window, other than a fixed window, shall open and close easily and shall be capable of being held in either position by window hardware.

P. Insect Screens. During the period from April 1st to November 1st, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than sixteen mesh per inch and every swinging door shall have a self-closing device in good working condition. Exceptions:

1. Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans are employed;

2. Residential units having approved central heating, ventilation and air conditioning systems.

Q. Doors. All exterior doors, door assemblies, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with the requirements of Section 16.24.530 as follows: All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys or special knowl-

edge, tools, or effort, except where the door conforms to that permitted by the building code.

R. Basement Hatchways. Basement hatchways, bulkhead enclosures, and crawl space access doors shall be maintained to prevent the entrance of rodents, rain, and surface drainage water.

S. Guards for Basement Windows. Every basement or cellar window, that is openable, shall be supplied with screens of standard-size mesh, or other approved protection against the entry of rodents.

T. Defacement of Property. No person shall willfully or wantonly damage, mutilate, or deface any exterior surface of any building or structure, located on any private or public property, by placing thereon any marking, carving, or graffiti. It shall be the duty of the owner of the building, structure, and or real property on which the building or structure is located to restore said surface to an approved state of maintenance and repair. (Ord. BL2001-585 § 1 (part), 2001)

16.24.350 Interiors of buildings and structures.

A. General. The interior of a building or structure and any equipment therein shall be maintained in good repair, structurally sound, and in an otherwise clean and sanitary condition. Occupants shall keep that part of the building or structure that they occupy or control in a clean and sanitary condition. Every owner of a building or structure containing a rooming house, a hotel, a dormitory, two or more dwelling units, or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

B. Structural Members. All structural members shall be structurally sound and capable of supporting the imposed loads.

C. Interior Surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

D. Stairs and Walking Surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and in good repair.

E. Handrails and Guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

F. Interior Doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers, or tracks as intended by the manufac-

turer of the attachment hardware. (Ord. BL2001-585 § 1 (part), 2001)

16.24.360 Rubbish and garbage.

All exterior property and premises, and the interior of every building and structure, shall be free from any accumulation of rubbish, garbage, and debris.

A. Disposal of Rubbish. Every owner or occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

B. Rubbish Storage Facilities. The owner of every occupied premises shall supply approved covered containers for rubbish and shall be responsible for the clean and sanitary removal and disposal of all rubbish.

C. Disposal of Garbage. Every occupant of a building or structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or in approved garbage containers.

D. Garbage Facilities. The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leak-proof, covered, outside garbage container accessible and sufficient in capacity to serve each dwelling unit.

E. Containers. The operator of every establishment producing garbage shall provide, approved leak proof containers with close-fitting covers for the storage of such materials, and shall cause said containers to be utilized at all times. All rubbish and garbage storage facilities and containers shall be provided and handled in such manner as may be prescribed by the rules and regulations of the department of public works and the metropolitan health department. (Ord. BL2001-585 § 1 (part), 2001)

16.24.370 Extermination.

All structures shall be kept free from insect and rodent infestation. Approved extermination processes that are not injurious to human health shall be promptly employed to rid any building or structure in which insects or rodents are found. After extermination, proper precautions shall be taken to prevent re-infestation.

A. Owner. The owner of any building or structure shall be responsible for extermination within the building or structure, or part thereof, prior to renting or leasing the building or structure, or part thereof.

B. Single Occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

C. Multiple Occupancy. The owner of a building or structure containing two or more dwelling units, a multiple occupancy, a rooming house, or a nonresidential building

or structure shall be responsible for extermination in the public or shared areas of the building or structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied by said occupant, the occupant shall be responsible for extermination.

D. Occupant. The occupant of any building or structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination. (Ord. BL2001-585 § 1 (part), 2001)

16.24.380 Light.

A. Habitable Spaces. In residential occupancies, every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be eight percent of the floor area of such room. Wherever a wall or other obstructions face a window of a habitable space and such obstruction is located less than three feet from the window and extends to a level above that of the ceiling of the habitable space, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the habitable space.

Exception: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than twenty-five square feet. The exterior glazing area shall be based on the total floor area being served.

B. Common Halls and Stairways. Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a sixty watt standard incandescent light bulb for each two hundred square feet of floor area of said common hall or stairway, or equivalent illumination, provided that the spacing between lights shall not be greater than thirty feet. In other than residential occupancies, means of egress, including exterior means of egress stairways, shall be illuminated at all times with a minimum of one foot candle at floors, landings, and treads.

C. Other Spaces. All other spaces in residential and nonresidential buildings and structures shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, the safe occupancy thereof, and the safe utilization of the appliances, equipment, and fixtures. (Ord. BL2001-585 § 1 (part), 2001)

16.24.390 Ventilation.

A. Habitable Spaces. In dwelling units, every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least forty-five percent of the minimum glazed area required in Section 16.24.380, above.

Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than twenty-five square feet. The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

B. Bathrooms and Toilet Rooms. Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required above, except that a window shall not be required in such spaces equipped with a mechanical ventilation system of sufficient capacity to provide at least one complete air change each six minutes. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.

C. Cooking Facilities. Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit.

Exception: Where specifically approved in writing by the director.

D. Process Ventilation. Where injurious, toxic, irritating or noxious fumes, gases, dusts, or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any interior space.

E. Clothes Dryer Exhaust. Systems to manage exhaust from clothes dryers shall be independent of all other systems and shall be installed in accordance with the manufacturer's instructions. (Ord. BL2001-585 § 1 (part), 2001)

16.24.400 Occupancy limitations.

A. Privacy. Dwelling units, hotel units, rooming units, and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

B. Minimum Room Widths. A habitable space, other than a kitchen, shall not be less than seven feet in any plan dimension. Kitchens shall have a clear passageway of not less than three feet between counter fronts and appliances or counter fronts and walls.

C. Minimum Ceiling Heights. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms

and habitable basement areas shall have a clear ceiling height of not less than seven feet. Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than four feet on center and projecting not more than six inches below the required ceiling height.

2. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study, or recreation purposes, having a ceiling height of not less than six feet eight inches and not less than six feet four inches of clear height under beams, girders, ducts and similar obstructions.

3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least seven feet over not less than one-half of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of five feet or more shall be included.

D. Bedroom Requirements. Every bedroom shall comply with the requirements of Sections 16.24.400(E) through 16.24.400(I).

E. Area for Sleeping Purposes. Every bedroom occupied by one person shall contain at least seventy square feet of floor area, and every bedroom occupied by more than one person shall contain at least fifty square feet of floor area for each occupant thereof.

F. Access from Bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Exception: Units that contain fewer than two bedrooms.

G. Water Closet Accessibility. Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

H. Prohibited Occupancy. Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

I. Other Requirements. Bedrooms shall comply with the applicable provisions of this chapter including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements; the plumbing facilities and water-heating facilities requirements; the heating facilities, electrical receptacle requirements; and the smoke detector and emergency escape requirements.

J. Overcrowding. Dwelling units shall not be occupied by more occupants than are permitted by the minimum area requirements of Table 16.24.400.

Table 16.24.400
MINIMUM AREA REQUIREMENTS

| SPACE | MINIMUM AREA IN SQUARE FEET | | |
|-------------|---|---------------|---------------------|
| | 1-2 occupants | 3-5 occupants | 6 or more occupants |
| Living Room | No requirements ^(a, b) | 120 | 150 |
| Dining Room | No requirements ^(a, b) | 80 | 100 |
| Kitchen | 50 | 50 | 60 |
| Bedrooms | Shall comply with Section 16.24.400(E). | | |

a. See Section 16.24.400(L) for combined living room/dining room spaces.

b. See Section 16.24.400(K) for limitations on determining the minimum occupancy area for sleeping purposes.

K. Sleeping Area. The minimum occupancy area required by Table 16.24.400 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 16.24.400(D).

L. Combined Spaces. Combined living room and dining room spaces shall comply with the requirements of Table 16.24.400 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room and dining room.

M. Efficiency Unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. An efficiency living unit occupied by not more than two occupants shall have a clear floor area of not less than two hundred and twenty square feet. A unit occupied by three occupants shall have a clear floor area of not less than three hundred and twenty square feet. These required areas shall be exclusive of the areas required by subsections (M)(2) and (M)(3) of this section.

2. An efficiency living unit shall be provided with a kitchen sink, cooking appliance, and refrigeration facilities, each having a clear working space of not less than thirty inches in front. Light and ventilation shall be provided in conformance with this chapter.

3. An efficiency living unit shall be provided with a separate bathroom containing a water closet, lavatory, and bathtub or shower.

4. An efficiency living unit shall have a maximum number of occupants of three.

N. Food Preparation. All spaces to be occupied for food preparation purposes shall contain suitable space and

equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage. (Ord. BL2001-585 § 1 (part), 2001)

16.24.410 Plumbing fixtures and fixture requirements.

A. Dwelling Units. Every dwelling unit shall contain a bathtub or shower, lavatory, water closet, and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or be located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

B. Rooming Houses. At least one water closet, lavatory, and bathtub or shower shall be supplied for each four rooming units in a rooming house.

C. Hotel. Where private water closets, lavatories, and baths or showers are not provided, one water closet, one lavatory, and one bathtub or shower having access from a public hallway shall be provided for each ten occupants of any hotel.

D. Employee Facilities. A minimum of one water closet, one lavatory, and one drinking facility shall be available to employees. Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler, or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms. (Ord. BL2001-585 § 1 (part), 2001)

16.24.420 Toilet rooms.

A. Privacy. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall, other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.

B. Location. Toilet rooms and bathrooms serving hotel units, rooming units, or dormitory units, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

C. Location of Employee Toilet Facilities. Toilet facilities for employee use shall have access from within the employees' regular working area. Required toilet facilities shall be located not more than one story above or below the employees' regular working area and the path of travel to such facilities shall not exceed a distance of five hundred feet. Employee facilities shall either be separate facilities or public customer facilities.

Exception: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent

structures under the same ownership, lease or control, shall not exceed a travel distance of five hundred feet from the employees' regular working area to the facilities. (Ord. BL2001-585 § 1 (part), 2001)

16.24.430 Plumbing systems and fixtures—General.

A. General. All plumbing fixtures shall be properly installed and maintained in working order, shall be kept free from obstructions, leaks and defects, and shall be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

B. Fixture Clearances. All plumbing fixtures shall have adequate clearances for usage and cleaning.

C. Plumbing System Hazards. Where it is found that a plumbing fixture or system in a building, structure, or premises constitutes a hazard to the occupants or the building, structure, or premises by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, deterioration, damage, or for similar reasons, the director shall require the defects to be corrected to eliminate the hazard. (Ord. BL2001-585 § 1 (part), 2001)

16.24.440 Water system.

A. General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet, or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs, and showers shall be supplied with hot or tempered and cold running water in accordance with the plumbing code.

B. Contamination. The water supply shall be maintained free from contamination and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets, and other hose bibs or faucets to which hoses are attached and left in place shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

C. Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices, and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

D. Water Heating Facilities. Water heating facilities shall be properly installed and maintained, and shall provide an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower, and laundry facility at a temperature of not less than one hundred twenty degrees Fahrenheit. A gas-burning water heater shall not

be located in any bathroom, toilet room, bedroom, or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters. (Ord. BL2001-585 § 1 (part), 2001)

16.24.450 Sanitary drainage system.

A. General. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

B. Maintenance. Every plumbing stack, vent, and waste and sewer line shall function properly and be kept free from obstructions, leaks, and defects. (Ord. BL2001-585 § 1 (part), 2001)

16.24.460 Reserved.

16.24.470 Heating facilities.

A. Facilities Required. Heating facilities shall be provided in buildings and structures as required by this section.

B. Residential Occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of sixty-five degrees Fahrenheit in all habitable rooms, bathrooms, and toilet rooms based on a winter outdoor design temperature of fourteen degrees Fahrenheit, in accordance with Appendix D of the 2000 Edition of the Standard Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

C. Heat Supply. Every owner, lessee, or operator of any building or structure who rents, leases, or lets one or more dwelling units, rooming units, dormitory rooms, or guestrooms on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1st to April 30th to maintain a temperature of not less than sixty-five degrees Fahrenheit in all habitable rooms, bathrooms, and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity.

D. Occupiable Work Spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 1st to April 30th to maintain a temperature of not less than sixty-five degrees Fahrenheit, when the spaces are occupied. Exceptions:

1. Processing, storage, and operation areas that require cooling or special temperature conditions;

2. Areas in which persons are primarily engaged in vigorous physical activities.

E. Room Temperature Measurement. Required room temperatures shall be measured three feet above the floor at a point near the center of the room and at points two feet inward from the center of each exterior wall. (Ord. BL2001-585 § 1 (part), 2001)

16.24.480 Mechanical equipment.

A. Mechanical Appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances, and water heating appliances shall be properly installed and maintained in a safe working condition and shall be capable of performing the intended function.

B. Removal of Combustion Products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances that are labeled by the manufacturer for ventless operation.

C. Clearances. All required clearances from any mechanical equipment to combustible materials shall be maintained.

D. Safety Controls. All safety controls for fuel-burning equipment shall be maintained in effective operation.

E. Combustion Air. A supply of air for complete combustion of the fuel and for adequate and safe ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

F. Energy Conservation Devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping system therefrom, shall not be installed unless labeled by for such purpose and the installation is specifically approved. (Ord. BL2001-585 § 1 (part), 2001)

16.24.490 Electrical facilities.

A. Facilities Required. Every occupied building or structure shall be provided with an electrical system in compliance with the requirements of this section and Section 16.24.530.

B. Service. Service to a dwelling unit shall be a minimum of one hundred ampere, with three-wire capacity and service equipment shall be dead-front, having no live parts exposed whereby accidental contact could be made. Type "S" fuses shall be installed when fused equipment is used.

Exception: Existing service of sixty ampere, three-wire capacity, and feeders of thirty ampere or larger two-or-three-wire capacity shall be accepted if adequate for the electrical load being served.

C. **Electrical System Hazards.** Where it is found that the electrical system in a building or structure constitutes a hazard to the occupants or the building or structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration, damage, or for similar reasons, the director shall require the defects to be corrected to eliminate the hazard. (Ord. BL2001-585 § 1 (part), 2001)

16.24.500 Electrical equipment.

A. **Installation.** All electrical equipment, wiring, and appliances shall be properly installed and maintained in a safe and approved manner.

B. **Receptacles.** Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

C. **Lighting Fixtures.** Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room, and furnace room shall contain at least one electric lighting fixture. (Ord. BL2001-585 § 1 (part), 2001)

16.24.510 Elevators, escalators and dumbwaiters.

A. **General.** Elevators, dumbwaiters, and escalators shall be maintained to sustain safely all imposed loads, to operate properly, and to be free from physical and fire hazards. The most current certificate of inspection shall be on display at all times within any elevator or shall be attached to the escalator or dumbwaiter; or the certificate shall be available for public inspection in the office of the building or structure operator.

B. **Elevators.** In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing. (Ord. BL2001-585 § 1 (part), 2001)

16.24.520 Duct systems—General.

Duct systems shall be maintained so as to be free of obstructions and capable of performing their required function. (Ord. BL2001-585 § 1 (part), 2001)

16.24.530 Fire safety requirements—Means of egress.

A. **General.** A safe, continuous, and unobstructed means of egress shall be provided from any point in a

building or structure to the public way, in accordance with the requirements of the building code and fire code as adopted by the metropolitan government.

B. **Emergency Escape and Rescue Openings.** Basements with habitable rooms and every sleeping room shall have at least one openable emergency escape and rescue window or exterior door opening. Where openings are provided as a means of escape and rescue, they shall have a sill height of not more than forty-four inches. The net clear opening dimension required by this chapter shall be obtained by the normal operation of the window or door opening from the inside. Escape and rescue window openings with a sill height below the adjacent ground level shall be provided with an approved window well.

C. **Minimum Net Clear Opening.** All emergency escape and rescue openings shall have a minimum net clear opening of four square feet.

D. **Minimum Net Clear Opening Height.** All emergency escape and rescue openings shall have minimum net clear opening height twenty-four inches.

E. **Minimum Net Clear Opening Width.** All emergency escape and rescue openings shall have a minimum net clear opening width of twenty inches.

F. **Operation.** Required emergency escape and rescue openings shall be operational from the inside of the room or space without the use of keys or special tools, knowledge, or effort. Bars, grilles, grates, or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the building code and such devices shall be releasable or removable from the inside without the use of a key, tool, or force greater than that which is required for normal operation of the escape and rescue opening. Where such bars, grilles, grates, or similar devices are installed in existing buildings, smoke detectors shall be installed in accordance with Section 16.24.550.

G. **Aisles.** The required width of aisles in accordance with the fire code shall be unobstructed.

H. **Locked Doors.** All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, tools, or special knowledge or effort, except where the door hardware conforms to that permitted by the building code. (Ord. BL2001-585 § 1 (part), 2001)

16.24.540 Fire resistance ratings.

A. **Fire-Resistance-Rated-Assemblies.** The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions, and floors shall be maintained.

B. **Opening Protectives.** Required opening protectives shall be maintained in an operative condition. All fire and

smoke stop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked, obstructed, or otherwise made inoperable. (Ord. BL2001-585 § 1 (part), 2001)

16.24.550 Fire protection systems.

A. Smoke Detectors. Existing Group R occupancies not already provided with single-station smoke alarms/detectors shall be provided with approved single-station smoke alarms/detectors.

B. Installation.

1. In existing one- and two-family dwellings, approved single-station smoke alarms/detectors shall be installed:

a. Outside of each separate sleeping area, in the immediate vicinity of the sleeping rooms; and
b. On each additional story of the dwelling unit including basements.

2. In all other existing Group R occupancies, installation shall be in accordance with the fire code.

C. Power Source. In Group R occupancies, single-station smoke alarms/detectors shall be battery operated or shall receive their primary power from the building wiring provided that such wiring is served from a commercial source. When power is provided by the building wiring, the wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. (Ord. BL2001-585 § 1 (part), 2001)

Article VI. Dwellings and Structures Unfit for Human Habitation, Occupation, or Use

16.24.560 Findings, appointment, and purpose.

The metropolitan council finds that there exists in Metropolitan Nashville and Davidson County dwellings and structures that are unfit for human habitation, occupation, or use due to dilapidation, defects increasing the hazards of fire, accident or other calamities, lack of ventilation, light or sanitary facilities, or due to other conditions rendering such structures unsafe or unsanitary, or dangerous or detrimental to the health, safety or morals, or otherwise inimical to the welfare of the residents of Metropolitan Nashville and Davidson County. Therefore, the director of the department of codes administration is hereby appointed to enforce this chapter and to implement the power conferred upon the Metropolitan Government by Tennessee Code Annotated, Title 13, Section 21 to exercise its police powers to repair, close, or demolish the aforementioned dwellings and structures in the manner herein provided. (Ord. BL2001-585 § 1 (part), 2001)

16.24.570 Determination of unfitness for habitation, occupation or use.

Any dwelling or structure is unfit for human habitation, occupation, or use if conditions exist which, in the opinion of the director, are dangerous or injurious to the health, safety, or morals of the occupants of dwelling or structure, the occupants of neighboring buildings, structures, or premises, or other residents of the metropolitan government area. Such conditions may include the following, without limiting the generality of the foregoing, defects therein increasing the hazards of fire, accident, or other calamities; inadequate means of egress; lack of adequate ventilation, light, or sanitary facilities; dilapidation; disrepair; structural defects; and unsanitary conditions. (Ord. BL2001-585 § 1 (part), 2001)

16.24.580 Complaint procedures—Hearing.

Whenever a petition is filed with the department by the metropolitan development and housing authority ("MDHA"), other public authority or its agent, or at least five residents of Davidson County charging that any dwelling or structure is unfit for human habitation, occupation, or use, or whenever it appears to the director or the director's agent (on the director's own motion), that any dwelling or structure is unfit for human habitation, occupation, or use, the director shall, if the preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest of such structure, a complaint, stating the charges in that respect and containing a notice that a hearing will be held before the director or the director's designated agent at a place therein fixed, not less than ten days nor more than thirty days after the serving of such complaint, that:

1. The owner or parties in interest or both shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; and

2. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the director. (Ord. BL2001-585 § 1 (part), 2001)

16.24.590 Order to repair, vacate or demolish required when.

If, after such notice and hearing, as provided in Section 16.24.580, the director or the director's authorized agent determines that the dwelling or structure under consideration is unfit for human habitation, occupation, or use, the individual making the determination shall state in writing the findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order:

1. If the repair, alteration, or improvement of such dwelling, structure or accessory dwelling or structure can be made at a cost not to exceed fifty percent of the value of the dwelling or structure, requiring the owner, within the time specified in the order, to repair, alter or improve such building or structure to render it fit for human habitation, occupation or use, or to vacate and close the building or structure as a place of human habitation, occupation or use. The order shall allow a reasonable time for the performance of any act it requires. For the purposes of this article, the value of the dwelling or structure shall be assumed to be that established by the tax assessor's office.

a. If the owner fails to comply with the order to repair, alter, improve, or vacate and close the dwelling or structure, the director may cause such dwelling or structure to be repaired, altered, improved, or vacated and closed, and may cause to be posted on the main entrance of any dwelling or structure so vacated and closed, a placard with the following words, "This Building Is Unfit for Human Habitation, Occupation or Use. The Use or Occupancy of This Building is Unlawful and Prohibited by Order of the Director of the Department of Codes Administration." Such placard shall remain posted until the required repairs, alterations, or improvements are made. It is unlawful for any person to remove such notice without written permission of the director or for any person to enter such dwelling or structure except for the purpose of making the required repairs, alterations, or improvements.

b. A dwelling or structure closed pursuant to this section shall be securely closed by boarding-up all exterior openings such that a person could not gain entry without the use of a key, special tool, or significant physical effort. It shall be the duty of the owner to ensure that dwelling or structure remains closed.

c. It shall be unlawful to occupy or use a dwelling or structure ordered vacated pursuant to this section until a valid certificate of occupancy has been issued.

2. If the repair, alteration, or improvement of such dwelling, structure, or accessory dwelling or structure cannot be made at a cost not to exceed fifty percent of the value of the dwelling or structure, requiring the owner within the time specified in the order to remove or demolish such dwelling or structure. For the purposes of this article, the value of the dwelling or structure shall be assumed to be that established by the tax assessor's office.

a. The director, upon issuing an order to the owner to remove or demolish, shall forward a copy of said order to the vacant property review commission ("the commission"), and, for the purposes of assisting the commission in its review, supply the commission with a copy of the related structural and dwelling unit inspection record, complaint, and title research report. The department of

codes administration may supplement these documents with pertinent information acquired during its investigation and hearing.

b. If the owner fails to comply with an order to remove or demolish the dwelling or structure, the director may cause such dwelling or structure to be removed or demolished, except that when the director has been notified by the commission of its intent to gain control of such dwelling or structure prior to the letting of bids for demolition, in which case the department shall suspend its effort to remove or demolish the dwelling or structure pending notice to proceed from the commission. (Ord. BL2001-585 § 1 (part), 2001)

16.24.600 Complaint and order—Service.

Any complaint and order issued pursuant to this article shall be served upon owners and parties in interest either personally or by certified or registered mail, but if the whereabouts of any such person or entity is unknown and the same cannot be ascertained by the director in the exercise of reasonable diligence, and the director shall make an affidavit to that effect, then the serving of such complaint or order of such persons or entities may be made by publishing the same once each week for two consecutive weeks in a newspaper printed and published and in general circulation throughout the area of jurisdiction of the metropolitan government. A copy of such complaint or order shall be posted in a conspicuous place upon the dwelling or structure affected by such complaint or order. A copy of such complaint and order shall be filed in the register's office of Davidson County, and such filing of the complaint or order shall have the same force and effect as other lis pendens notices provided by law. (Ord. BL2001-585 § 1 (part), 2001)

16.24.610 Appeal.

The owner, or the owner's authorized agent, and any party in interest, or its authorized agent shall have the right to appeal from the order of the director and to appear before the board of property standards and appeals at a specified time and place to show cause why the should not comply with any notice issued pursuant to this chapter. Requests for appeals shall be by written petition completed on forms supplied by the director and shall be filed with the director within twenty days from the date of service. (Ord. BL2001-585 § 1 (part), 2001)

16.24.620 Warning placards.

Where upon inspection, a vacant dwelling or structure is determined to be unfit for human occupation or use, the director shall immediately cause to be on the main entrance a placard with the following words, "This Building

Is Unfit for Human Habitation, Occupation or Use. The Use or Occupancy of This Building is Unlawful and Prohibited by Order of the Director of the Department of Codes Administration.” Such notice shall remain posted until the required repairs, alterations, or improvements are made or until such time as the dwelling or structure is removed or demolished. It is unlawful for any person to remove such placard without written permission of the director or for any person to enter such dwelling or structure except for the purpose of making the required repairs, alterations, or improvements, or removing or demolishing the dwelling or structure. (Ord. BL2001-585 § 1 (part), 2001)

16.24.630 Removal or demolition of buildings—Notice to vacate.

If the owner fails to comply with an order to remove or demolish a building or structure, the director may cause such building or structure to be removed or demolished to secure the intent of this chapter. When doing so, the director shall, whenever an occupied building or structure has been condemned and ordered removed or demolished, and the owner has failed to appeal to the board of property standards and appeals or has unsuccessfully appealed to said board, notify the tenant of such action in writing, and order such tenant to vacate the premises within a specified time, if necessary, or to do and perform such acts or works as may be necessary to fulfill the orders set forth in such notice. Should such tenants fail or refuse to promptly comply with such notice or orders, they shall be deemed guilty of a violation of this chapter. (Ord. BL2001-585 § 1 (part), 2001)

16.24.640 Demolition of building—Disposal of debris.

Every person repairing, altering, improving, moving, or demolishing a building or structure pursuant to this chapter and removing debris therefrom shall cause all such debris to be thoroughly dampened with water or covered to prevent the spread of such debris or dust to adjacent properties, whether public or private. In the case of demolition, it shall be the responsibility of the person demolishing a dwelling or structure to remove from the premises all demolition debris resulting from such demolition, to properly dispose of all demolition debris in a manner prescribed by the director of public works, and to fill any below-grade area with approved fill materials to grade level or to provide suitable protective fencing around any such below-grade area. (Ord. BL2001-585 § 1 (part), 2001)

16.24.650 Costs of repair or demolition—Lien on property.

A. The amount of the direct and indirect costs of such repairs, alterations, or improvements, or vacating and closing, or removal or demolition by the department shall be assessed against the owner of the property, and shall, upon the filing of the notice with the office of the register of deeds of Davidson County, be a lien on the property in favor of the Metropolitan Government of Nashville and Davidson County, second only to liens of the state of Tennessee and Metropolitan Government of Nashville and Davidson County for taxes, any lien of the Metropolitan Government of Nashville and Davidson County for special assessments, and any valid lien, right or interest in such property duly recorded or duly perfected by filing, prior to the filing of such notice. These costs shall be collected by the metropolitan trustee at the same time and in the same manner as property taxes are collected. If the owner fails to pay the costs, they may be collected at the same time and in the same manner as delinquent property taxes are collected and shall be subject to the same penalty and interest as delinquent property taxes. Indirect costs that may be assessed against the property owner shall include, but not be limited to, the cost of postage, advertising, title searches, and recording fees and shall include an administrative fee in the amount of two hundred eighty dollars per demolition project to cover staff time in the administration of each demolition case.

B. In addition, the metropolitan government may collect the costs assessed against the owner through an action for debt filed in any court of competent jurisdiction. The metropolitan government may bring one action for debt against more than one or all of the owners of properties against whom said costs have been assessed, and the fact that multiple owners have been joined in one action shall not be considered by the court as a misjoinder of parties. If the structure is removed or demolished by the director, the director shall sell the materials of such structure and shall credit the proceeds of such sale against the cost of the removal or demolition, and any balance remaining shall be deposited in the chancery court by the director, shall be secured in such manner as may be directed by such court, and shall be disbursed by such court to the person found to be entitled thereto by final order or decree of such court. Nothing in this section shall be construed to impair or limit in any way the power of the metropolitan government to define and declare nuisances and to cause their removal or abatement, by summary proceedings or otherwise. (Ord. BL2004-175§ 4, 2004; Ord. BL2001-585 § 1 (part), 2001)

16.24.660 Failure to comply—Penalty.

The owner, party in interest, lessee, agent, or person or entity in control of such dwelling or structure that is unfit for human occupation or use, upon failure or refusal to comply with a notice to repair, alter, improve, vacate and close, remove or demolish, such dwelling or structure, shall be guilty of a misdemeanor and subject to the penalties prescribed in this code. (Ord. BL2001-585 § 1 (part), 2001)

Chapter 16.28

BUILDING PERMITS

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16.28.010 Required when.

It shall be the duty of every person desiring to construct, alter, repair, enlarge, move or demolish any building or structure or part thereof or any appurtenances connected or attached thereto, or to install any heating, air conditioning or ventilating system or unit or any equipment, device, appliance or fixture, required or governed by this chapter, or to repair or replace any damage to a building or structure caused by termites, or to erect or construct any sign, billboard or similar structure governed by this chapter, or to do or cause any such work to be done, for which a permit is required, to first make application to the director of codes administration and obtain the required permits therefor, except as such may be specifically excluded by Section 16.04.020. (Prior code § 11-1-31)

16.28.020 Blasting—Permit required—Regulations.

A. It is unlawful for any person to perform any drilling or blasting of rock, earth, trees, etc., with any form of explosives, without first having obtained a permit for such work from the director of codes administration. All such blasting as may be permitted shall be performed between the hours of six a.m. and six p.m. and, where necessary, shall be properly covered or barricaded prior to the execution of the blasting operation.

B. It shall be the responsibility of the person engaged in any blasting activity to give proper notice and warning to all property owners, pedestrians and motor vehicle traffic in the area where such blasting is to be made, prior to detonation of such blast.

C. An applicant for a blasting permit must be experienced and qualified in the handling and discharge of explosives and blasting agents, must be twenty-one years of age or over and must furnish all necessary information concerning the amount of the charge and the location. The minimum public liability insurance as required by Section 16.28.100 shall be one hundred thousand dollars/three hundred thousand dollars bodily injury and fifty thousand dollars property damage. (Prior code § 11-1-31.1)

16.28.030 Normal maintenance repair—Permits not required.

Normal maintenance repairs of an existing building or structure may with the approval of the building official be made without permit, provided such repairs do not violate any provisions of this chapter.

Normal maintenance repairs shall be defined as repairs to an existing building or structure, including but not limited to exterior and interior painting, papering, glazing of windows and doors, floor finishing, minor repairs to chimneys, stairs, porches, underpinning and repairs to an exist-

ing roof not to exceed thirty-three percent of the roof area. (Ord. 95-1487 § 87, 1995)

16.28.040 Application.

A. Each application for a permit required by this chapter with the required fee, shall be filed with the director of codes administration on a form furnished by him, and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or his authorized agent.

B. Each application for a permit shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure, and shall contain such other information as may be required by the director. (Prior code § 11-1-33)

16.28.050 Plans and specifications—Requirements.

A. When required by the director of codes administration, two or more copies of specifications and of drawings drawn to scale with sufficient clarity and detail to indicate the nature and character of the work shall accompany every application for a permit. Such drawings and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with this chapter. Such information shall be specific, and this chapter shall not be cited as a whole or in part, nor shall the term “legal” or its equivalent be used, as a substitute for specific information.

B. The director may require details, computations, stress diagrams and other data necessary to describe the construction and basis of calculations and they shall bear the signature of the person responsible for the design.

C. All drawings, specifications or accompanying data shall bear the name and address of the designer. Drawings, specifications and accompanying data for buildings, structures or appurtenances shall comply with the provisions of Section 62-2-101, et seq. of the Tennessee Code Annotated. When required, each drawing comprising the set of construction documents, specifications and accompanying data shall bear the seal of the appropriate architect and/or engineer responsible for the preparation thereof. The director of the department of codes administration shall not require of such designers, mechanics or builders, drawings or specifications in more detail than the minimum required to ascertain compliance with the applicable code. Inspections resulting in disapproval shall state any requirements necessary for approval.

D. Plans for all buildings shall indicate how required structural and fire-resistive integrity will be maintained where a penetration of a required fire-resistive wall, floor or partition will be made for electrical, mechanical, plumb-

ing and communication conduits, pipes and systems, and also indicate in sufficient detail how the fire integrity will be maintained where required fire-resistive floors intersect the exterior walls.

E. Foundation plans for prefabricated or factory-built structures shall be sealed by a civil engineer registered to practice in the state of Tennessee. (Ord. 89-1092 § 1, 1990; prior code § 11-1-34)

16.28.060 Plot diagrams required.

The director of codes administration shall require drawings showing the location of the proposed building or structure and of every existing building or structure on the site or lot. He may also require a boundary line survey, if necessary, prepared by a qualified surveyor. (Prior code § 11-1-35)

16.28.070 Applications—Timely action required.

The director of codes administration shall act upon an application for a permit under this chapter, with plans as filed or as amended, without unnecessary or unreasonable delay. (Prior code § 11-1-37)

16.28.080 Applications—Examination by director—Exception.

A. The director of codes administration shall examine or cause to be examined each application for permit and the drawings and computations filed therewith and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this chapter and all other pertinent laws or ordinances.

B. The director of codes administration may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the laws as to egress, type of construction and general arrangement, and if accompanied by drawings showing the structural design and by a statement that the plans and design conform to the requirements of this chapter as to strength, stresses, strains, loads and stability, he may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the director, on the completion of the structure, a certification that the structure has been erected in accordance with the requirements of this chapter. Where the director relies upon such affidavit, the architect or engineer shall assume full responsibility for the compliance with all provisions of this chapter and other pertinent laws or ordinances. Architects and engineers hereinabove referred to shall be registered under the laws of this state regulating the practice of architecture and engineering. (Prior code § 11-1-38)

16.28.090 Reviewed drawings—Marked—Copy at jobsite.

When the director of codes administration issues a permit, he shall endorse, in writing or by stamp, both sets of plans "Reviewed." One set of drawings so reviewed shall be retained by the director and the other set shall be returned to the applicant. The reviewed drawings shall be kept at the site of work and shall be open to inspection by the director or his authorized representative. (Ord. 95-1487 § 86 (part), 1995; prior code § 11-1-39)

16.28.100 General liability insurance required when.

Nothing in this chapter shall be construed as prohibiting the director of codes administration, as conditions may seem to warrant, from requiring a certificate of general liability insurance for such amount as he may deem necessary, with an insurance company licensed in the state of Tennessee, as a condition precedent to the issuance of any permit required by this chapter. Such insurance as may be required shall not be canceled without at least thirty days' prior notice, in writing, to the director of codes administration. (Ord. 94-1226 § 10, 1994)

16.28.110 Fees schedule.

A. Building Permit Fees.

1. Building Permit Fees for Residential Construction Based on Valuation. Residential construction includes one-family and two-family residential construction but not multi-family construction.

| Total Valuation | Fees |
|------------------------------|---|
| \$0.00 to \$2,000.00 | \$25.00 |
| \$2,000.01 to \$50,000.00 | \$25.00 for the first \$2,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00 |
| \$50,000.01 to \$100,000.00 | \$265.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00 |
| \$100,000.01 to \$500,000.00 | \$465.50 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00 |

\$500,000.01 and up \$1,665.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof.

2. Building Permit Fees for Commercial Construction and all other Construction based on valuation.

| Total Valuation | Fees |
|------------------------------|---|
| \$0.00 to \$2,000.00 | \$35.00 |
| \$2,000.01 to \$50,000.00 | \$35.00 for the first \$2,000.00 plus \$6.00 for each additional thousand or fraction thereof, to and including \$50,000.00 |
| \$50,000.01 to \$100,000.00 | \$323.00 for the first \$50,000.00 plus \$4.83 for each additional thousand or fraction thereof, to and including \$100,000.00 |
| \$100,000.01 to \$500,000.00 | \$564.50 for the first \$100,000.00 plus \$3.63 for each additional thousand or fraction thereof, to and including \$500,000.00 |
| \$500,000.01 and up | \$2,016.50 for the first \$500,000.00 plus \$2.42 for each additional thousand or fraction thereof. |

B. Moving of Buildings or Structures. For the moving of any building or structure where such necessitates the transportation of such building or structure in public rights-of-way or on public streets, the fee shall be two hundred fifty dollars; except, that such fee shall not be charged for the moving of temporary construction office sheds, mobile homes or house trailers.

C. Signs. For the erection, construction or alteration of any sign, billboard, awning, marquee or similar structure, the fee shall be determined from section A above using the schedule for commercial construction.

D. Trailers and Mobile Homes. For each trailer or mobile home located on an individual site, lot, trailer park, mobile home subdivision or apartment complex, there shall be a fee of fifty dollars, such fee to be charged on the original location of a trailer or mobile home on the site. For each succeeding trailer or mobile home moved onto a lot not within a trailer park, mobile home subdivision or

apartment complex, there shall be required a use and occupancy permit.

E. Certificate of Occupancy and Compliance. For the issuance of a use and occupancy permit or certificate of compliance where there has been no building permit issued, the fee shall be fifty dollars.

F. Blasting. For blasting permits required by Section 16.28.020, the fee shall be fifty dollars for a blasting permit valid up to six months, and one hundred dollars for a blasting permit valid up to twelve months.

G. Re-inspection Fee. For a re-inspection, the fee shall be thirty dollars.

H. Plans Examination Fees.

1. For the examination for code compliance of plans, specifications, drawings and other data, the plans examination fee shall be:

| Total Valuation | Fees |
|--------------------------------|--|
| \$0.00 to \$275,000.00 | one-half of the building permit fee as set forth in subsection A of this section |
| \$275,000.01 to \$5,000,000.00 | \$600.00 for the first \$275,000.00 plus \$0.08 per thousand for each additional thousand or fraction thereof, to and including \$5,000,000.00 |
| \$5,000,000.01 and above | \$978.00 for the first \$5,000,000.00 plus \$0.03 per thousand for each additional thousand or fraction thereof |

Such plan-examination fee is in addition to the building permit fee and in no case shall this be refunded even if there is not a subsequent building permit issued. If an issued building permit is due a refund as per Section 16.28.140, in no case shall the plans examination fee be refunded.

2. Exceptions from plans examination fee:

- One- and two-family dwelling building permits;
- Townhouse building permits;
- Demolition permits;
- Blasting permits;
- Sign permits; and
- U & O permits. (Ord. BL2004-175 § 5, 2004; Ord. 95-1324 §§ 1, 2, 1995; Ord. 92-295 §§ 1—4, 1992; Ord. 92-118 §§ 21, 22, 1992; Ord. 91-1525 § 2, 1991; prior code § 11-1-42)

16.28.120 Valuations—Computations.

A. New Building or Structures and Additions. For the purpose of determining permit fees only for new buildings or structures and additions, valuations will be computed by using the “cost-per-square foot” figures as shown in the Building Valuation Data, as published by the International Code Council. The value is based on construction type, occupancy group, the building area and without use of a regional modifier. “Valuation” means total cost of all structures which includes structural, electrical, plumbing, mechanical system and other systems, interior finish, normal site preparation (excavation and backfill for building), architectural and design fees, overhead and profit, but excluding land cost.

B. Remodeling Existing Buildings or Structures. For the purpose of determining permit fees, the “valuation” means the total cost of the project(s) including the cost of materials (including those supplied by owners), interior/exterior finishes, architectural and design fees, labor, overhead, profit, including all plumbing, electrical, mechanical and other systems. (Ord. BL2004-175 § 6, 2004; Ord. 95-1324 § 3, 1995)

16.28.130 Failure to obtain permit—Fees tripled.

In addition to any other penalty imposed for failure to obtain a permit, where construction of any work, for which a permit is required, is commenced before a permit is issued, the permit fees shall be tripled. (Ord. 91-1525 § 3, 1991; prior code § 11-1-43)

16.28.140 Fees—Refunds.

A. Application for a refund of fees paid for any unused building permit, where the work covered by such permit is to be performed by another or abandoned, shall be made on forms provided by the director.

B. Refunds shall only be made for that portion of a fee exceeding fifty dollars. In no case shall any fee be refunded on any unused permit over six months old or when any inspection has been made, regardless of the fees paid. (Ord. 91-1525 § 4, 1991; Ord. 89-1003 §§ 2, 3, 1989; prior code § 11-1-44.1)

16.28.150 Foundations permit—Utility installations.

A. When application for a permit to erect or enlarge a building has been filed and pending issuance of such permit, the director of codes administration may, at his discretion, issue a special permit for the foundations of such building. The holder of such a special permit shall proceed at his own risk and without assurance that a permit for the superstructure will be granted.

B. When utilities are to be installed within an individual parcel of land to connect to a building or structure, a utility permit may be issued.

Exceptions: Utilities installed by the Utility Company.

C. The partial permit fee for the foundation/utility installation shall be not less than five percent of the total building as per Section 16.28.120. (Ord. BL2002-1142 § 23, 2002; Prior code § 11-1-45)

16.28.152 Structural framing permit.

A. When application for a permit to erect or enlarge a building has been filed and pending issuance of such permit, the director of codes administration may, at his discretion, issue a special permit for the structural framing of such building. This permit would include installing columns, floor systems, bearing walls, but not roof systems or nonbearing exterior walls.

B. The electrical, plumbing, and HVAC systems may be “rough-in” in the non-tenant areas.

C. The partial permit for the structural framing fee shall be not less than fifty percent of the total building valuation as per Section 16.28.120. (Ord. BL2002-1142 § 24, 2002)

16.28.154 Building shell permit.

A. When application for permit to erect or enlarge a building has been filed and pending issuance of such permit, the director of codes administration may, at his discretion, issue a special permit for the shell of such building.

B. This permit would include installing exterior walls and the roof system. The electrical, plumbing, and HVAC systems may be “rough-in” in the non-tenant areas.

C. The partial permit for the shell fee shall be not less than sixty-five percent of the total building valuation as per Section 16.28.120. If a structural framing permit has been previously issued, the partial permit for the shell fee shall be not less than fifteen percent of the total building valuation as per Section 16.28.120. (Ord. BL2002-1142 § 25, 2002)

16.28.156 Building shell finish-out permit.

A. When application for a permit to erect or enlarge a building has been filed and pending issuance of such permit, the director of codes administration may, at his discretion, issue a special permit for finishing-out the interior of the shell of such building. This permit would include installing all interior finishes of each tenant space.

B. The electrical, plumbing, and HVAC permits may be issued to complete finish out of the installation of each system.

C. The partial permit for the tenant finish-out fee shall be not less than forty-five percent of the total building

valuation as per Section 16.28.120 for a building that the total tenant area is substantially less than the gross area of the building. If the tenant is basically equal to the gross area of the building, the partial permit for the tenant finish-out permit fee shall be not less than thirty percent of the total building valuation as per Section 16.28.120. (Ord. BL2002-1142 § 26, 2002)

16.28.160 Private water system—Approval required.

Where public water supply and sewer services are not available and it would be necessary to install a private water supply or private sewer disposal system, a building permit shall not be issued until such private water supply or private sewer disposal system has been approved by the metropolitan health department and satisfactory evidence of such approval has been submitted to the director of codes administration. (Prior code § 11-1-46)

16.28.170 Encroachment on street lines—Special application.

A. No permit shall be granted for the construction of any building or for the alteration of any building where such building is to be changed and such change will affect the exterior walls, bays, balconies or other appendages or projections fronting on any street, alley or public lane, or for the placing on any lot or premises of any building or structure removed from another lot or premises, unless the applicant has made application at the office of the director of public works for the lines of the public street on which he proposes to build, erect or locate such building.

B. It shall be the duty of the director of public works to see that the street lines are not encroached upon in any manner whatsoever, except as provided in Section 3202 of the Standard Building Code and other applicable sections of the Standard Building Code. (Ord. BL2002-1142 § 27, 2002; Ord. 95-1487 § 89, 1995; prior code § 11-1-41)

16.28.180 Applications—Abandonment—Extensions.

An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless before then a permit shall have been issued; provided, that for cause, one or more extensions of time for periods of not exceeding ninety days each may be allowed by the director of codes administration. (Prior code § 11-1-36)

16.28.190 Issuance.

If the director of codes administration is satisfied that the work described in an application for a permit and the drawings filed therewith conform to the requirements of

this chapter and other pertinent laws and ordinances, he shall issue a permit therefor to the applicant. (Prior code § 11-1-47)

16.28.200 Permit denial conditions.

If the application for a permit under this chapter and the drawings filed therewith describe work which does not conform to the requirements of this chapter or other pertinent laws or ordinances, the director of codes administration shall not issue a permit, but shall return the drawings to the applicant with his refusal to issue such permit. Such refusal shall, when requested, be in writing and shall contain the reasons therefor. (Prior code § 11-1-48)

16.28.210 Work authorized—Plumbing and electrical permit requirements applicable.

A. A general building permit shall carry with it the right to install in any new building or structure or part thereof any heating system, air conditioning or ventilating system or unit, storm drains not connected to a public sanitary sewer system, elevators, sidewalk elevators, vaults, chutes, coal holes, lifts, cranes, derricks, steam power boilers, steam, oil, gas or vapor engines or similar equipment or devices, and the right to treat any building or structure for termites or termite protection, provided such equipment, devices or treatments are incorporated into the plans and set forth in the specifications submitted with the application for a building permit. Where such equipment and devices or treatments are not incorporated into the plans and specifications submitted with the application for a building permit, a separate building permit shall be required. Where structural damage caused by termites is required to be replaced, the building permit fees as set forth in Section 16.28.110 shall be paid.

B. The issuance of a building permit shall not be construed as waiving the requirement for a plumbing or electrical permit for the installation of any plumbing or electrical system, device or equipment necessary or required for proper operation of such installations. (Prior code § 11-1-51)

16.28.220 Nontransferability.

Permits issued under this chapter are not transferable from one contractor, one job, site or location to another, and any refunds shall be made in accordance with Section 16.28.140. This section shall not prohibit the correction or change of addresses or location made through error on the application. (Ord. 98-1445 § 80, 1998)

16.28.230 Approved permits—Posted at premises.

Work requiring a building permit shall not be commenced until the permit holder or his agent shall have posted the building permit card in a conspicuous place on the front of the premises. The permit shall be protected from the weather and in such position as to permit the director of codes administration to conveniently make the required entries thereon. This permit card shall be maintained in such position by the permit holder until the certificate of occupancy required by this chapter has been issued by the director. (Prior code § 11-1-49)

16.28.240 Interpretation—Expiration—Extensions.

A. A permit issued pursuant to this chapter shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter or set aside any of the provisions of this chapter, nor shall such issuance of a permit prevent the director from thereafter requiring a correction of errors in plans or in construction or of violations of this chapter.

B. Any permit issued shall become invalid unless the work authorized by it shall have been commenced within six months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one year after the time the work is commenced. In no case shall a permit be valid for more than two years after its issuance; provided that for cause, if the work authorized by it is sufficiently under way and is being diligently pursued, one or more extensions of time, for periods not exceeding ninety days each, may be allowed in writing by the director.

C. In the case of a permit issued to demolish a building or structure, such demolition permit shall become invalid unless the work authorized by it shall have been commenced within thirty days after its issuance or unless the work so authorized shall have been completed within sixty days after work is commenced; provided, that extensions of time may be allowed as provided in this section.

D. In the case of a permit issued to move any building or structure into any residential zone district or residential development, such permit shall become invalid unless the work so authorized has been completed by permanently affixing said building or structure on a foundation within thirty days after the date that the building or structure was moved onto the property located within a residential zone district or residential development. Any person who fails to complete such work within the above-mentioned thirty-day period shall be subject to the penalties set forth in Section 1.01.030. (Ord. 95-1329 § 2 (part), 1995; prior code § 11-1-50)

16.28.250 Supervision required when.

Whenever a permit is to be issued in reliance upon an affidavit as provided in Section 16.28.080, or whenever the work to be covered by a permit involves construction under conditions which, in the opinion of the director of codes administration, are hazardous or complex, the director shall require that the architect or engineer who signed the affidavit or made the drawings or computations shall supervise such work, be responsible for its conformity with the approved drawings, and forthwith upon its completion make and file with the director a written affidavit that the work has been done in conformity with the approved plans and with the structural provisions of this chapter. In the event such architect or engineer is not available, the owner shall employ in his stead a competent person or agency whose qualifications are approved by the director. (Prior code § 11-1-52)

16.28.260 Change in contractor—Reissuance of permit—Fees.

When a change in a contractor occurs before a job is completed, the contractor who obtains the permits shall notify the codes department in writing. A new permit shall be taken out for the unfinished construction. The contractor that completes the construction shall pay a prorata permit fee based upon the unfinished construction; but in no case, less than the minimum permit fee. (Ord. 98-1445 § 81, 1998)

Chapter 16.32 INSPECTIONS

Sections:

16.32.010 Required when—Authority of director.

16.32.020 Establishment of boundary lines.

16.32.030 Successive inspections—When conducted.

16.32.040 Plastering—Approval required.

16.32.050 Covering structural framework—Approval required.

16.32.060 Inspections prerequisite to further work.

16.32.010 Required when—Authority of director.

A. Before issuing a permit required by Sections 2.80.010 through 2.80.110 and Chapters 16.04, 16.08, 16.28 and 16.36 through 16.56, the director of codes administration may examine or cause to be examined any building for which an application has been received for permit to enlarge, alter, repair, move, demolish or change the occupancy thereof. He shall inspect all buildings and structures, from time to time, during and upon completion of the work for which a permit was issued. He shall make a record of every such examination and inspection and of all violations of Sections 2.80.010 through 2.80.110 and Chapters 16.04, 16.08, 16.28 and 16.36 through 16.56.

B. When deemed necessary by the director of codes administration, he shall make an inspection of materials or assemblies at the point of manufacture or fabrication. He shall make a record of every such examination and inspection and of all violations of abovementioned sections and chapters.

C. The director of codes administration may make or cause to be made the inspections called for by Sections 2.80.010 through 2.80.110 and Chapters 16.04, 16.08, 16.28 and 16.36 through 16.56. He may accept reports of inspectors of recognized inspection services; provided, that after investigation he is satisfied as to their qualifications and reliability. No certificate called for by any provision of Sections 2.80.010 through 2.80.110 or Chapters 16.04, 16.08, 16.28 and 16.36 through 16.56 shall be based on such reports unless the same are in writing and certified by a responsible officer of such service. (Prior code § 11-1-53)

16.32.020 Establishment of boundary lines.

The director of codes administration shall inspect or cause to be inspected at various intervals all construction or work for which a permit is required, and a final inspection shall be made of every building or structure upon

completion, prior to the issuance of the certificate of occupancy required by this chapter. Prior to the first inspection, the permittee shall establish the lot lines or boundary of the parcel by the placement of stakes or pins at each corner of the lot. Such markers are to remain in place during the construction. (Prior code § 11-1-54)

16.32.030 Successive inspections—When conducted.

The director of codes administration, upon notification from the permit holder or his agent, shall make the following inspections of buildings and such other inspections as may be necessary, and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with the law:

A. Foundation Inspection. The foundation inspection is to be made after trenches are excavated and forms erected.

B. Frame Inspection. The frame inspection is to be made after the roof, all framing, fire-blocking, bracing and insulation is in place and all pipes, chimneys and vents are complete.

C. Final Inspection. The final inspection is to be made after the building is completed and ready for occupancy.

D. Mechanical Rough-In Inspection. The mechanical rough-in inspection is to be made after mechanical equipment and ductwork is in place but before being concealed by walls and/or ceilings.

E. Mechanical Final Inspection. The mechanical final inspection is to be made after the mechanical construction is completed and the building is ready for occupancy. (Prior code § 11-1-55)

16.32.040 Plastering—Approval required.

In all buildings where plaster is used for fire protection purposes, the permit holder or his agent shall notify the director of codes administration after all lathing and backing is in place. No plaster shall be applied until the approval of the director has been received. (Prior code § 11-1-58)

16.32.050 Covering structural framework—Approval required.

No reinforcing steel or structural framework of any part of any building or structure shall be covered or concealed in any manner whatsoever without first obtaining the approval of the director of codes administration, the designing architect or engineer. (Prior code § 11-1-57)

16.32.060 Inspections prerequisite to further work.

No work shall be done on any part of a building or structure beyond the point indicated in each successive inspection without first obtaining the written approval of the director of codes administration. Such written approval shall be given only after an inspection shall have been made of each successive step in the construction as indicated by each of the three inspections indicated in Section 16.32.030. (Prior code § 11-1-56)

**Chapter 16.36
CERTIFICATES OF OCCUPANCY**

Sections:

16.36.010 Prerequisite for occupancy.

16.36.020 Issuance—Contents.

16.36.030 Temporary certificates.

16.36.040 Existing buildings—Examination and inspection.

16.36.010 Prerequisite for occupancy.

No new building shall be occupied and no change in occupancy of a building or part of a building shall be made until after the department of codes administration shall have issued a certificate of occupancy therefor. (Prior code § 11-1-59)

16.36.020 Issuance—Contents.

A. Upon completion of a building erected in accordance with approved plans, and after the final inspection and upon application therefor, the department of codes administration shall issue a certificate of occupancy stating the nature of the occupancy permitted, the number of persons for each floor when limited by law and the allowable load per square foot for each floor in accordance with the provisions of Sections 2.80.010 through 2.80.110 and Chapters 16.04, 16.08, 16.28 and 16.36 through 16.56.

B. The metropolitan department of codes administration shall have three days from the time they are notified to inspect a building or dwelling for a use and occupancy permit. If a violation is found, the permit shall be withheld. If the inspection is not made within three working days, the permit shall be deemed to be granted and the permit shall be issued by the department. (Prior code § 11-1-60)

16.36.030 Temporary certificates.

A temporary certificate of occupancy may be issued for a portion or portions of a building which may safely be occupied prior to final completion of the building. (Prior code § 11-1-61)

16.36.040 Existing buildings—Examination and inspection.

A certificate of occupancy for any existing building shall be obtained by applying to the department of codes administration and supplying the information and data necessary to determine compliance with Sections 2.80.010 through 2.80.110 and Chapters 16.04, 16.08, 16.28 and 16.36 through 16.56 for the occupancy intended. Where necessary, in the opinion of the director, two sets of detailed drawings or a general inspection or both may be required. When, upon examination and inspection, it is found that the building conforms to the provisions of this chapter for such occupancy, a certificate of occupancy shall be issued. (Prior code § 11-1-62)

**Chapter 16.40
FLOOR LOADS**

Sections:

16.40.010 Occupancies exceeding safe capacity prohibited.

**16.40.020 Computation of safe loads—
Responsibility of owner.**

16.40.030 Posting safe loads in certain buildings.

16.40.040 Exceeding posted capacity prohibited.

16.40.010 Occupancies exceeding safe capacity prohibited.

No existing or new building shall be occupied for any purpose which will cause the floors thereof to be loaded beyond their safe capacity. The director of codes administration may permit occupancy of a building for mercantile, commercial or industrial purposes, by a specific business, when he is satisfied that such capacity will not thereby be exceeded. (Prior code § 11-1-63)

**16.40.020 Computation of safe loads—
Responsibility of owner.**

It shall be the responsibility of the owner, agent, proprietor or occupant of Groups S and F occupancies or any occupancy where excessive floor loading is likely to occur to employ a competent architect or engineer in computing the safe load capacity. All such computations shall be accompanied by an affidavit from the architect or engineer stating the safe allowable floor load on each floor in pounds per square foot uniformly distributed. It shall thereupon be filed as a permanent record of the department of codes administration. (Prior code § 11-1-64)

16.40.030 Posting safe loads in certain buildings.

In every building or part of a building used for business storage, industrial or hazardous purposes, the safe floor loads, as approved by the director of codes administration, shall be marked on plates of approved design which shall be supplied and securely affixed by the owner of the building in a conspicuous place in each story to which they relate. Such plates shall not be removed or defaced, and if lost, removed or defaced, shall be replaced by the owner of the building. (Prior code § 11-1-65)

16.40.040 Exceeding posted capacity prohibited.

No owner shall place, or permit to be placed, on any floor of a building, a greater load than the safe load so determined and posted as provided in this chapter. (Prior code § 11-1-66)

**Chapter 16.44
NOISE CONTROL**

Sections:

16.44.010 Definitions.

**16.44.020 Noise sound pressure levels—
Measurement.**

16.44.030 Construction sites—Restrictions.

16.44.040 Exemptions.

16.44.050 Variances.

16.44.060 Violations.

16.44.010 Definitions.

As used in this chapter:

A. “A-weighted sound pressure level” means the sound pressure level as measured with a sound level meter using the “A” Weighting Network. The standard notation is Db(A).

B. “Construction equipment” means any equipment or devices, such as, but not limited to, pile drivers, power shovels, jackhammers, derricks, hoist tractors, dump trucks, loaders, rollers, concrete-hauling motor vehicles, pavement breakers, backhoe, clam shells, bulldozers, crawler-tractors, rotary drills and augers, cranes, ditchers, trenchers, scrapers, graders, wagons, pumps, compressors and pneumatic power equipment or other mechanical apparatus operated by fuel or electric power in the construction, repair or demolition of any building, structure, land, driveway or appurtenance thereto.

C. “Decibel” means a logarithmic unit of measure often used in measuring magnitudes of sound. The symbol is Db.

D. “Emergency work” means work made necessary to restore property to a safe condition following a public calamity or work to restore public utilities or work required to protect persons or property from an imminent exposure to danger.

E. “Noise” means sound that is measured as the sound pressure level in decibels (Db).

F. “Person” means any person, firm, group, association, organization, partnership, business, trust, corporation, company, contractor, supplier, installer, user or owner.

G. “Premises” means any building, structure, land, utility or portion thereof, including all appurtenances, and shall include yards, lots, courts, inner yards, common hallways in multiple-family dwellings, common areas for one or more multiple-family dwellings, and real properties without buildings or improvements, owned or controlled by a person.

H. “Property line” means an imaginary line exterior to any enclosed structure, at the ground surface, and its vertical extension, which separates the real property or rental unit owned or leased by one person from that owned or leased by another person.

I. “Public right-of-way” means any street, avenue, boulevard, highway, alley or public space which is owned or controlled by a governmental entity.

J. “Sound” means oscillation in pressure, stress, particle displacement and particle velocity which induce auditory sensation.

K. “Sound level meter” means an apparatus or instrument including a microphone, amplifier, attenuator, output meter and frequency weighting networks for the measurement of sound levels. The sound level meter shall be a design and have the characteristics of a type 2 or better instrument as established by the American National Standards Institute, publication S1.4-1971, entitled “Specification for Sound Level Meters.”

L. “Sound pressure level” means twenty times the logarithm to the base ten of the ratio of the pressure of a sound to the reference pressure of twenty micronewtons per square meter (20×10^{-6} newtons/meter²), and is expressed in decibels (Db). (Prior code § 11-1-17.8)

**16.44.020 Noise sound pressure levels—
Measurement.**

For the purpose of determining noise sound pressure levels as set forth in this chapter, the following test procedures and measurements are applicable:

A. The instrument for determining noise sound pressure levels shall be with a sound level meter of standard design as defined in this section. Sound pressure level measurements shall be made with the “A” Weighting Network.

B. Noise sound pressure levels shall be measured from a point as close as possible to the outside walls of any residential structure located on the property affected by the noise at a height of four feet above the immediate surrounding surface. (Prior code § 11-1-17.9)

16.44.030 Construction sites—Restrictions.

It is unlawful for any person engaged in the construction, repair or demolition of buildings, structures, land, driveways or appurtenances thereto located within or adjoining a residential zone district within the area of the metropolitan government, including transportation of materials to and from a construction site, between the hours of nine p.m. and six a.m., to emit, cause to be emitted, or permit the emission of any noise in excess of seventy Db(A) from construction equipment as measured from a point as close as possible to the outside walls of any residential structure located on the property affected by the noise at a height of four feet above the immediate surrounding surface. (Prior code § 11-1-17.10(a))

16.44.040 Exemptions.

The following activities shall be exempt from the requirements of Section 16.44.030:

A. Highway, bridge, road, street, dredging in navigable waters, or other public works construction activities, utility work such as water, sewer, gas, electrical or telephone construction activities and any vehicles used to transport materials to and from such construction activities, so long as the vehicles remain within the highway, road, street or construction right-of-way or easement;

B. Emergency work;

C. Transporting and unloading of construction materials, other than blast materials, between five a.m. and six a.m.

(Prior code § 11-1-17.10(b))

16.44.050 Variances.

A. Any person seeking to perform construction activities which would be in violation of Section 16.44.030 must, prior to engaging in activities prohibited under Section 16.44.030, make an application to the director of the department of codes administration and obtain a permit to perform such activities. Such a permit shall not be granted unless the applicant establishes the following:

1. Any noise, resulting from the construction, repair or demolition activities, even though the applicant might create noise in excess of that permitted in Section 16.44.030, will not be of such magnitude as to interfere with normal activities conducted within the residential zone district during the hours of the proposed construction activities; and

2. The applicant has obtained all other approvals and permits for said construction activities as required by the metropolitan code of laws; or

3. The overriding public interest (as opposed to the private interest of the applicant or the owner of the property upon which said construction activities shall occur) will be significantly promoted by permitting the applicant to create noise in excess of that permitted in Section 16.44.030.

B. Notice of an application for a variance shall be given by the director of the department of codes administration to persons who may be adversely affected by the granting of the variance and to the district councilmember. Any person who claims to be adversely affected by such a variance, if allowed, may file a written statement with the director. Such statement shall contain sufficient factual information to support the claim.

C. Variances shall be granted by notice to the applicant containing any necessary conditions, including a time limit on the permitted activity. The variance shall not become effective until all conditions are agreed to by the applicant. Noncompliance with any condition of the variance shall terminate it and subject the person holding it to the requirements of Section 16.44.030.

D. Requests for extension of time limits specified in a variance or for modification of other substantial conditions shall be treated as an application for an initial variance.

E. Variance requests shall be acted upon as expeditiously as possible. Failure of the director of the department of codes administration to render a decision on a request for a variance within ten days of its submission shall result in the variance being granted. (Prior code § 11-1-17.10(c))

16.44.060 Violations.

In addition to any other penalty imposed for violation of this chapter pursuant to Section 1.24.040, such violations of this chapter shall be deemed a public nuisance; and the director of the department of codes administration or the director of the department of health are authorized to seek injunctive relief to prohibit violations of this chapter. (Prior code § 11-1-17.10(d))

Chapter 16.48

PRESERVATION OF EXISTING BUILDINGS

Sections:

- | | |
|------------------|---|
| 16.48.010 | Variances authorized when— Guidelines. |
| 16.48.020 | Exemptions for historic buildings. |

**16.48.010 Variances authorized when—
Guidelines.**

A. To promote conservation and rehabilitation of existing buildings, alterations, repairs, or change of use and occupancy may be made where such rehabilitation conforms to intent of this code as established by the director. The director may exercise discretionary authority, subject to appeal, to vary or modify in whole or in part the application of any provision of this code where compliance with such provision would create practical difficulty or undue hardship, and further subject to Sections 3405, D102.1, and D102.2 of the Standard Building Code.

B. Such variance or modification shall be consistent with the intent of this code, which is to achieve acceptable levels of safety for the general public. The director may require documented justification for any request for such variances or modifications from any code provision to be prepared in written form, supported by technical or other data deemed necessary and that proposal shall become a part of the permanent records of the department of codes administration.

C. The director may adopt a committee to develop such rules, regulations and guidelines such as, but not limited to, "Chapter 34, Section 3409 Compliance Alternatives, of the Standard Building Code" as may be necessary to carry out the intent of this chapter, which is to allow discretion and flexibility in the rehabilitation of existing buildings.

D. The director shall create a rehab committee that shall meet on as needed basis. The members of committee shall be the assistant director of the codes department, the chief plans examiner or the chief building inspector and the assistant fire marshal or his designated deputy. The decision of the rehab committee may be subject to Chapter 2.80 (the board of fire and building appeals). (Ord. BL2002-1142 § 28, 2002; Ord. 95-1487 § 85, 1995; prior code § 11-1-76)

16.48.020 Exemptions for historic buildings.

The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings, or those built prior to 1933, when such buildings or structures are judged by the director to be safe and in the public interest of health, safety and welfare regarding any proposed alteration, repair, enlargement, restoration, relocation or moving within the fire district. The application must submit complete architectural and engineering plans and specifications bearing the seal of a registered professional engineer or architect. (Prior code § 11-1-77)

Chapter 16.52

UNSAFE BUILDINGS

Sections:

16.52.010—16.52.060 Reserved.

16.52.070 Notice to vacate.

16.52.010—16.52.060 Reserved.

16.52.070 Notice to vacate.

Whenever an occupied building or structure has been condemned or ordered demolished or repaired by the director of codes administration, he shall notify the tenants of such action in writing, and order such tenants to vacate the premises within a specified time, if necessary, or to do and perform such acts or works as may be necessary to fulfill the orders set forth in such notice. It is unlawful for any tenant to fail or refuse to promptly comply with any such notice or order. (Prior code § 11-1-72)

Chapter 16.56

FLOOD CONTROL REQUIREMENTS

Sections:

16.56.010 Building permit applications—Review conditions.

16.56.020 Subdivision proposals—Review conditions.

16.56.030 Water supply and sanitary sewage systems.

16.56.010 Building permit applications—Review conditions.

The director of codes administration shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement, including prefabricated and mobile homes, must:

- A. Be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure;
- B. Use construction materials and utility equipment that are resistant to flood damage; and
- C. Use construction methods and practices that will minimize flood damage. (Prior code § 11-1-87)

16.56.020 Subdivision proposals—Review conditions.

The metropolitan planning commission shall review subdivision proposals and other proposed new developments to assure that all such proposals are consistent with the need to minimize flood damage, and all public water utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated and constructed to minimize flood damage. (Prior code § 11-1-88)

16.56.030 Water supply and sanitary sewage systems.

The director of water and sewerage services shall require new or replacement water supply systems and/or sanitary systems to be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters, and require on-site disposal systems to be located so as to avoid impairment of them or contamination from them during flooding. (Prior code § 11-1-89)